

EXHIBIT 41

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

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PATRICK CALHOUN, et al.,)
on behalf of themselves and)
all others similarly)
situated,)

Plaintiffs,)Case No.

)5:20-cv-5146-LHK-SVK

vs.)

GOOGLE LLC,)

Defendant.)

CHASOM BROWN, et al.,)

on behalf of themselves and)

all others similarly)

situated,)

Plaintiffs,)Case No.

)5:20-cv-03664-LHK

vs.)

GOOGLE LLC,)

Defendant.)

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Videotaped Zoom Deposition of
GREGORY LON FAIR
CONFIDENTIAL, ATTORNEYS' EYES ONLY
Tuesday, December 14, 2021

---o0o---

Job no. 4974024
Katy E. Schmidt
RPR, RMR, CRR, CSR 13096
Pages 1 - 216

Page 1

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<p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE NORTHERN DISTRICT OF CALIFORNIA 3 SAN JOSE DIVISION 4 ---o0o--- 5 PATRICK CALHOUN, et al ,) 6 on behalf of themselves and) 7 all others similarly) 8 situated,) 9) 10 Plaintiffs,)Case No 11)5:20-cv-5146-LHK-SVK 12 vs) 13) 14 GOOGLE LLC,) 15) 16 Defendant) 17) 18) 19 CHASOM BROWN, et al ,) 20 on behalf of themselves and) 21 all others similarly) 22 situated,) 23) 24 Plaintiffs,)Case No 25)5:20-cv-03664-LHK 26 vs) 27) 28 GOOGLE LLC,) 29) 30 Defendant) 31) 32) 33 BE IT REMEMBERED that, pursuant to Notice, and 34 on Tuesday, the 14th day of December, 2021, commencing 35 at the hour of 11:43 a m , thereof, in Los Altos, 36 California, before me, KATY E SCHMIDT, a Certified 37 Shorthand Reporter in and for the County of Yolo, State 38 of California, there virtually personally appeared 39 GREGORY LON FAIR 40 called as a witness herein, who, being by me first duly 41 sworn, was thereupon examined and interrogated as 42 hereinafter set forth 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 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90017 9 violatrebicka@quinnemanuel.com 10 11 Also present: 12 David West, Videographer 13 Fatemah Shirzad, Concierge 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 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<p>1 APPEARANCES: 2 For The Plaintiffs: 3 (Appeared via Zoom) 4 MORGAN & MORGAN 5 BY: RYAN MCGEE, Esq 6 BY: RA AMEN, Esq 7 201 North Franklin Street, Suite 700 8 Tampa, Florida 33602 9 813 223 0931 10 rmcgee@forthepeople.com 11 (Appeared via Zoom) 12 BLEICHMAR FONTI & AULD LLP 13 BY: LESLEY WEAVER, Esq 14 555 12th Street, Suite 1600 15 Oakland, California 994607 16 415 445 4003 17 lweaver@bfalaw.com 18 19 (Appeared via Zoom) 20 21 BOIES SCHILLER FLEXNER LLP 22 BY: MARK MAO, Esq 23 BY: BEKO RICHARDSON, Esq 24 44 Montgomery Street, 41st Floor 25 San Francisco, California 94104 26 415 293 6800 27 mmao@bsflp.com 28 29 DICELLO LEVITT GUTZLER 30 BY: DAVID A STRAITE, Esq 31 BY: ADAM PROM, Esq 32 One Grand Central Place 33 60 East 42nd Street, Suite 2400 34 New York, New York 10165 35 646 933 1000 36 dstraite@dicellolevitt.com 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353</p>	

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<p>1 moment when they expect it most, leading 01:43</p> <p>2 them to inadvertently share sensitive 01:43</p> <p>3 personal data. We therefore must be 01:43</p> <p>4 bolder about saying who sees what as we 01:43</p> <p>5 browse the web, particularly during these 01:43</p> <p>6 moments." 01:43</p> <p>7 So, Mr. Fair, I'm just asking do you agree 01:43</p> <p>8 with that statement? 01:43</p> <p>9 A. There's -- 01:43</p> <p>10 MS. TREBICKA: Objection to form. 01:43</p> <p>11 THE WITNESS: Sorry. 01:43</p> <p>12 There's this natural predilection of any 01:43</p> <p>13 product manager that I've known at Google over the years 01:43</p> <p>14 to favor boldness in general. And so in that sense, I 01:43</p> <p>15 celebrate teams that are excited about ways we can help 01:43</p> <p>16 users. 01:43</p> <p>17 This particular space is really challenging. 01:44</p> <p>18 Written, in this case, by UX researchers, it looks like, 01:44</p> <p>19 and not product managers. 01:44</p> <p>20 I'm generally supportive of the ideas doing 01:44</p> <p>21 more wherever to possible to help consumers of all of 01:44</p> <p>22 our products, including their privacy states, be more 01:44</p> <p>23 protective where appropriate. 01:44</p> <p>24 And I think I'm excited about those ideas just 01:44</p> <p>25 kind of as a baseline because that's what kind of gets 01:44</p> <p style="text-align: right;">Page 70</p>	<p>1 So going back to your testimony in saying -- 01:45</p> <p>2 let me find it exactly -- "I'm generally supportive of 01:45</p> <p>3 the ideas of doing more wherever to help consumers of 01:45</p> <p>4 all our products, including their privacy states, to be 01:46</p> <p>5 more protective where appropriate." 01:46</p> <p>6 So my question to you is: Did Google ever 01:46</p> <p>7 consider -- with your work with Google, did Google ever 01:46</p> <p>8 consider listing itself as one of the entities that your 01:46</p> <p>9 activity might still be visible to on that incognito 01:46</p> <p>10 splash screen? 01:46</p> <p>11 MS. TREBICKA: Objection. Assumes facts. 01:46</p> <p>12 THE WITNESS: I've worked on a lot of 01:46</p> <p>13 different type of user disclosures around how 01:46</p> <p>14 information is used in a lot of different form factors, 01:46</p> <p>15 everything from kind of consent screens as part of 01:46</p> <p>16 larger flows, notifications to users about a very 01:46</p> <p>17 specific event or larger events, creating e-mails to 01:46</p> <p>18 users that encourage them to review certain settings. 01:46</p> <p>19 And the thing that I've very consistently 01:46</p> <p>20 observed is that striking the right balance between 01:46</p> <p>21 saying everything, as you would in a privacy policy, and 01:47</p> <p>22 saying just enough for people to understand in whatever 01:47</p> <p>23 context where they're landing, is a tricky balance to 01:47</p> <p>24 find. 01:47</p> <p>25 I think that the Chrome incognito landing page 01:47</p> <p style="text-align: right;">Page 72</p>
<p>1 me out of bed and going to work and trying to make a 01:44</p> <p>2 change. 01:44</p> <p>3 At the same time, this particular space is 01:44</p> <p>4 extremely complicated, and I've often found there isn't 01:44</p> <p>5 one right answer or wrong answer for how to move 01:44</p> <p>6 forward. But as written, this isn't the way I would 01:44</p> <p>7 phrase it, no. 01:44</p> <p>8 BY MR. MCGEE: 01:44</p> <p>9 Q. Okay. Well, the incognito splash screen says 01:44</p> <p>10 "Who can see your data"; correct? It's internet service 01:44</p> <p>11 providers, educational institutions -- I'm sorry -- 01:44</p> <p>12 there's a list of individuals. 01:45</p> <p>13 Google is not listed on that; correct? 01:45</p> <p>14 MS. TREBICKA: Objection. The document speaks 01:45</p> <p>15 for itself. Objection to form. 01:45</p> <p>16 Go ahead. 01:45</p> <p>17 THE WITNESS: I believe the words you just 01:45</p> <p>18 used weren't perfectly representative of the language on 01:45</p> <p>19 the current incognito splash screen. 01:45</p> <p>20 BY MR. MCGEE: 01:45</p> <p>21 Q. Sure. I've got that now. 01:45</p> <p>22 So it's "Your activity might still be visible 01:45</p> <p>23 to websites you visit, your employer or school, your 01:45</p> <p>24 internet service provider." 01:45</p> <p>25 Those are the three. 01:45</p> <p style="text-align: right;">Page 71</p>	<p>1 doesn't say that your activity might still be visible to 01:47</p> <p>2 somebody standing next to you. 01:47</p> <p>3 There is an almost infinite list of potential 01:47</p> <p>4 things that could be included there. And I think it 01:47</p> <p>5 would be interesting to consider if you were calling out 01:47</p> <p>6 one particular group, if you didn't need to also then 01:47</p> <p>7 start to include a number of other ones. Kind of like, 01:47</p> <p>8 you know, a wedding, you invite one cousin, you've gotta 01:47</p> <p>9 invite the rest. 01:47</p> <p>10 The balance of the right amount of words and 01:47</p> <p>11 the right set of points to put in front of people is 01:47</p> <p>12 really tricky to get right, and we've been doing our 01:47</p> <p>13 best on that to make that clear. 01:47</p> <p>14 I think the addition of more information can 01:47</p> <p>15 create a more difficult-to-comprehend message. And so I 01:47</p> <p>16 think the balance is the way we've always thought about 01:48</p> <p>17 this. And then reinforce it with additional messaging, 01:48</p> <p>18 with layered messaging, with proactive messaging in a 01:48</p> <p>19 number of cases, wherever we can. 01:48</p> <p>20 BY MR. MCGEE: 01:48</p> <p>21 Q. Right. 01:48</p> <p>22 But the activity, it's not even that it might 01:48</p> <p>23 still be visible. It's that it's always going to be 01:48</p> <p>24 visible to Google; correct? 01:48</p> <p>25 You gave the example of someone standing next 01:48</p> <p style="text-align: right;">Page 73</p>

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<p>1 to you might see some of your activity when you go 01:48</p> <p>2 incognito, but Google continues to collect all of that 01:48</p> <p>3 information; correct? 01:48</p> <p>4 MS. TREBICKA: Objection to form. 01:48</p> <p>5 Go ahead. 01:48</p> <p>6 THE WITNESS: That doesn't match my technical 01:48</p> <p>7 understanding of the way browsers work. 01:48</p> <p>8 BY MR. MCGEE: 01:48</p> <p>9 Q. What is your technical understanding of how 01:48</p> <p>10 Chrome works while in incognito mode as it relates to 01:48</p> <p>11 Google's collection? 01:48</p> <p>12 MS. TREBICKA: Objection. Overbroad. Lacks 01:48</p> <p>13 foundation. 01:48</p> <p>14 THE WITNESS: I'm not an engineer, but if you 01:49</p> <p>15 took a more generic definition of browsing through 01:49</p> <p>16 websites and weren't even talking specifically about 01:49</p> <p>17 Chrome, there are a number of websites that Google has 01:49</p> <p>18 no presence on where Google would have no opportunity to 01:49</p> <p>19 interact. 01:49</p> <p>20 There are also a number of cases where simply 01:49</p> <p>21 for -- in order to display information based on the 01:49</p> <p>22 requested user of a site, if you go to whatever site you 01:49</p> <p>23 wanted to go to, whether it was Bing or Apple dot com, 01:49</p> <p>24 right, you would need to -- the browser would actually 01:49</p> <p>25 need to actually function and to serve up the page, 01:49</p> <p style="text-align: right;">Page 74</p>	<p>1 if I attended the entire thing. I know that I was -- 01:52</p> <p>2 had a slightly different schedule. I think I missed 01:52</p> <p>3 some bits. But I do remember being there for at least 01:52</p> <p>4 part of it. 01:52</p> <p>5 Q. And why were you attending [REDACTED] in 01:52</p> <p>6 Paris? 01:52</p> <p>7 A. As a product manager in the privacy team as 01:52</p> <p>8 someone who was part of the reason why we started the 01:52</p> <p>9 [REDACTED] program at all, it's a bunch of different 01:52</p> <p>10 reasons why. In general I want to attend these things. 01:52</p> <p>11 There's -- because I, you know, was the 01:52</p> <p>12 manager in this case and so supporting the team. 01:52</p> <p>13 Because I'm always interested in learning more about our 01:52</p> <p>14 privacy research, because frankly it's in Paris and who 01:52</p> <p>15 doesn't want to go to Paris. 01:53</p> <p>16 And also I think that there were -- if I 01:53</p> <p>17 remember correctly, there were some new members of the 01:53</p> <p>18 team or some people from outside of the privacy team. 01:53</p> <p>19 When we did these research sessions, we tried to include 01:53</p> <p>20 non-privacy focused teams so that we could encourage 01:53</p> <p>21 them to learn more about what's happening. 01:53</p> <p>22 So a lot of different reasons why I might have 01:53</p> <p>23 specifically attended this one. 01:53</p> <p>24 Q. Okay. And is it fair to say that the primary 01:53</p> <p>25 focus of [REDACTED] was to understand expectations of 01:53</p> <p style="text-align: right;">Page 76</p>
<p>1 whether it's the images, et cetera, and understand 01:49</p> <p>2 what's being requested. 01:49</p> <p>3 So I think the characterization that we said 01:49</p> <p>4 it isn't how I think about it and not my understanding 01:49</p> <p>5 of how browsers work generally, nor Chrome specifically. 01:49</p> <p>6 BY MR. MCGEE: 01:50</p> <p>7 Q. Okay. We'll move on to what's been marked as 01:50</p> <p>8 Exhibit No. 4. And that's going to have the Bates label 01:50</p> <p>9 GOOG dash CABR dash 03689232 to 33. 01:50</p> <p>10 A. Sorry. Just a moment. 01:50</p> <p>11 Which exhibit was it again? 01:50</p> <p>12 Q. Exhibit No. 4. 01:50</p> <p>13 A. Okay. And you said it ended in -- ah, got it. 01:50</p> <p>14 Sorry. I was just looking at the wrong page. 01:50</p> <p>15 Q. No problem. 01:50</p> <p>16 What I'd like to do is -- do you have the 01:50</p> <p>17 document in front of you? 01:51</p> <p>18 A. I do. It looks relatively short. If you just 01:51</p> <p>19 give me one minute, I could probably get through it 01:51</p> <p>20 pretty quickly. 01:51</p> <p>21 Q. Okay. 01:51</p> <p>22 A. Got it. Thanks. 01:52</p> <p>23 Q. Okay. And did you attend, I think it was 01:52</p> <p>24 [REDACTED] in Paris? 01:52</p> <p>25 A. I did attend parts of it. I cannot remember 01:52</p> <p style="text-align: right;">Page 75</p>	<p>1 data collection while using Google products in a 01:53</p> <p>2 signed-out state? 01:53</p> <p>3 MS. TREBICKA: Objection. Assumes facts. And 01:53</p> <p>4 objection to form. 01:53</p> <p>5 THE WITNESS: My recollection in the specifics 01:53</p> <p>6 of 17, again, we've had a lot of research studies, even 01:53</p> <p>7 under the [REDACTED] umbrella, as we see this is the name 01:53</p> <p>8 created for it. I'd have to actually review the 01:54</p> <p>9 research summary where it says more specifically what it 01:54</p> <p>10 covered. 01:54</p> <p>11 BY MR. MCGEE: 01:54</p> <p>12 Q. Okay. Do you see where it says "Key 01:54</p> <p>13 Findings"? 01:54</p> <p>14 A. I do. 01:54</p> <p>15 Q. Could you read the first bullet, please? 01:54</p> <p>16 A. [REDACTED] 01:54</p> <p>17 [REDACTED] 01:54</p> <p>18 [REDACTED] 01:54</p> <p>19 [REDACTED] 01:54</p> <p>20 Q. Do you recall attending any events or 01:54</p> <p>21 gatherings or -- I don't know what other word Google 01:54</p> <p>22 would use -- for the sessions at [REDACTED] that relate 01:54</p> <p>23 to that first key finding that you just read aloud? 01:54</p> <p>24 A. As I said earlier, I can't remember the 01:54</p> <p>25 specifics of that particular trip, but I think it is 01:54</p> <p style="text-align: right;">Page 77</p>

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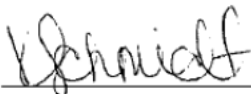
<p>1 REPORTER'S CERTIFICATE</p> <p>2 ---o0o---</p> <p>3 STATE OF CALIFORNIA)</p> <p>4) ss.</p> <p>5 I, KATY E. SCHMIDT, a Certified Shorthand</p> <p>6 Reporter in and for the State of California, duly</p> <p>7 commissioned and a disinterested person, certify:</p> <p>8 That the foregoing deposition was taken before me</p> <p>9 at the time and place herein set forth;</p> <p>10 That GREG FAIR, the deponent herein, was put on</p> <p>11 oath by me;</p> <p>12 That the testimony of the witness and all</p> <p>13 objections made at the time of the examination were</p> <p>14 recorded stenographically by me to the best of my</p> <p>15 ability and thereafter transcribed into typewriting;</p> <p>16 That the foregoing deposition is a record of the</p> <p>17 testimony of the examination.</p> <p>18 IN WITNESS WHEREOF, I subscribe my name on this</p> <p>19 17th day of December, 2021.</p> <p>20</p> <p>21 </p> <p>22 Katy E. Schmidt, RPR, RMR, CRR, CSR 13096</p> <p>23 Certified Shorthand Reporter</p> <p>24 in and for the</p> <p>25 County of Sacramento,</p> <p>State of California</p> <p>Ref. No. 4974024 KES</p> <p>Page 214</p>	<p>1 ___ Federal R&S Requested (FRCP 30(e)(1)(B)) – Locked .PDF</p> <p>2 Transcript - The witness should review the transcript and</p> <p>3 make any necessary corrections on the errata pages included</p> <p>4 below, notating the page and line number of the corrections.</p> <p>5 The witness should then sign and date the errata and penalty</p> <p>6 of perjury pages and return the completed pages to all</p> <p>7 appearing counsel within the period of time determined at</p> <p>8 the deposition or provided by the Federal Rules.</p> <p>9 _x_ Federal R&S Not Requested - Reading & Signature was not</p> <p>10 requested before the completion of the deposition.</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>Page 216</p>
<p>1 LESLEY WEAVER, Esq.</p> <p>2 lweaver@bfalaw.com</p> <p>3 December 17, 2021</p> <p>4 RE: PATRICK CALHOUN vs. GOOGLE LLC</p> <p>5 12/14/2021, GREGORY LON FAIR, JOB NO. 4974024</p> <p>6 The above-referenced transcript has been</p> <p>7 completed by Veritext Legal Solutions and</p> <p>8 review of the transcript is being handled as follows:</p> <p>9 ___ Per CA State Code (CCP 2025.520 (a)-(e)) – Contact Veritext</p> <p>10 to schedule a time to review the original transcript at</p> <p>11 a Veritext office.</p> <p>12 ___ Per CA State Code (CCP 2025.520 (a)-(e)) – Locked .PDF</p> <p>13 Transcript - The witness should review the transcript and</p> <p>14 make any necessary corrections on the errata pages included</p> <p>15 below, notating the page and line number of the corrections.</p> <p>16 The witness should then sign and date the errata and penalty</p> <p>17 of perjury pages and return the completed pages to all</p> <p>18 appearing counsel within the period of time determined at</p> <p>19 the deposition or provided by the Code of Civil Procedure.</p> <p>20 ___ Waiving the CA Code of Civil Procedure per Stipulation of</p> <p>21 Counsel - Original transcript to be released for signature</p> <p>22 as determined at the deposition.</p> <p>23 ___ Signature Waived – Reading & Signature was waived at the</p> <p>24 time of the deposition.</p> <p>25</p> <p>Page 215</p>	

EXHIBIT 42

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

- - - - - x

CHASOM BROWN; MARIA NGUYEN; WILLIAM
BYATT; JEREMY DAVIS; and CHRISTOPHER
CASTILLO, individually and on behalf
of all other similarly situated,

Plaintiffs,

No. 5:20-cv-03664-LHK

-against-

GOOGLE LLC,

Defendant.

- - - - - x

Zoom video conference deposition of
RORY McCLELLAND, taken pursuant to
notice, was held remotely, commencing
February 18, 2022, 5:30 a.m. Eastern
Standard Time, before Leslie Fagin, a
Stenographic Court Reporter and Notary
Public in the State of New York.

- - -

MAGNA LEGAL SERVICES
320 West 37th Street, 12th Floor
New York, New York 10018
(866) 624-6221

Page 2

1 APPEARANCES:
2 (All Parties Present Via Zoom.)

3
4 BOIES SCHILLER & FLEXNER LLP
5 Attorneys for Plaintiffs
6 44 Montgomery Street, 41st Floor
7 San Francisco, California 94104
8 BY: MARK MAO, ESQUIRE
9 ROSANNA BAEZA, ESQUIRE

10 QUINN EMANUEL URQUHART & SULLIVAN
11 Attorneys for Defendant
12 51 Madison Avenue, 22nd Floor
13 New York, New York 10010
14 BY: JOMAIRE A. CRAWFORD, ESQUIRE
15 CARL SPILLY, ESQUIRE

16 BAILEY GLASSER
17 Attorneys for Witness
18 209 Capitol Street
19 Charleston, West Virginia 25301
20 BY: BENJAMIN L. BAILEY, ESQUIRE
21 ELLIOTT MCGRAW, ESQUIRE

22 ALSO PRESENT:

23 LESLEY WEAVER, ESQUIRE
24 BLEICHMAR FONTI
25 For the Calhoun Plaintiffs

VANESSA WHEELER, Exhibit Tech
Magna Legal Services

Page 3

1 R. McClelland
2 RORY MCCLELLAND, called as a
3 witness, having been duly sworn by a
4 Notary Public, was examined and testified
5 as follows:

6 MS. BAEZA: Good morning this is
7 Rosanna Baeza on behalf of plaintiffs
8 and with me is Mark Mao, also from Boies
9 Schiller Flexner.

10 MS. WEAVER: Good morning. Lesley
11 Weaver, Bleichmar Fonti on behalf of the
12 Calhoun plaintiffs.

13 MS. CRAWFORD: Jomaire Crawford
14 from Quinn Emanuel Urquhart for the
15 defendant, Google LLC. I am joined this
16 morning by my colleague, Carl Spilly.

17 MR. BAILEY: I'm Ben Bailey with
18 Bailey Glasser and my colleague, Elliott
19 McGraw is on. We represent the witness.
20 Even if one steps out, there will
21 always be one of us here.

22 EXAMINATION BY

23 MS. BAEZA:

24 Q. Good morning. My name is Rosanna
25 Baeza and I represent the plaintiffs in this

Page 4

1 R. McClelland
2 case.

3 Can you state your full name for
4 the record?

5 A. My full name is Rory James
6 McClelland.

7 Q. Before we begin, where are you
8 located presently?

9 A. I'm in London, United Kingdom.

10 Q. Where exactly in London?

11 A. In the Boies Schiller office. The
12 address is No. 5 New Street Square.

13 Q. Is there anybody in the room with
14 you today?

15 A. No, there is not.

16 Q. Mr. McClelland, have you ever
17 testified under oath before?

18 A. No, I haven't.

19 Q. Do you understand that you are
20 under the same oath today as if you were in a
21 courtroom?

22 A. I do.

23 Q. I'm going to assume that you
24 understand the questions that I ask you,
25 unless you tell me that you don't understand

Page 5

1 R. McClelland
2 them, is that fair?

3 A. I understand, yes.

4 Q. Is there anything that would
5 prevent you from testifying truthfully today?

6 A. No, there is nothing.

7 Q. If at any time you need to take a
8 break during the deposition, will you let me
9 know?

10 A. I will.

11 Q. Do you have an undergraduate
12 degree?

13 A. I do, yes.

14 Q. What did you study?

15 A. Electronic and computer
16 engineering.

17 Q. Where did you earn your
18 undergraduate degree?

19 A. At the University of Birmingham.

20 Q. When did you graduate from the
21 University of Birmingham?

22 A. September 2001.

23 Q. Do you have a graduate degree?

24 A. I do. I have a master's in
25 computer science from the same university.

2 (Pages 2 to 5)

1 R. McClelland

2 data?

3 MS. CRAWFORD: Objection, calls for
4 speculation.

5 A. I don't have a specific answer to
6 that, but whenever you undertake browsing
7 activity, data is captured. It varies,
8 depending upon the website you visit, and
9 users want visibility and control over that
10 data.

11 Q. Can you give me some examples of
12 the type of data that can be captured during
13 an Incognito session?

14 MS. CRAWFORD: Objection,
15 incomplete hypothetical, vague and
16 overbroad.

17 A. For example, if you were to visit
18 The New York Times in Incognito mode, The New
19 York Times would capture which articles you
20 had read or looked at.

21 Q. During your time at Google, did
22 Google ever use data from user's Chrome
23 Incognito browsing sessions?

24 MS. CRAWFORD: Objection, lack of
25 foundation, vague and overbroad, assumes

1 R. McClelland

2 facts.

3 Q. You can answer.

4 A. Yes, they would have used it
5 because they didn't know it was Incognito
6 sessions, as before, the web server is
7 oblivious to the user's Incognito intent by
8 design and as is standard across private
9 modes, so the tracking data captured by
10 Google when users visited Google web
11 properties in Incognito mode would have been
12 used in exactly the same manner as data that
13 had been captured in the user's regular mode,
14 albeit in isolation from their regular
15 profile.

16 Q. Can you give me examples of how the
17 user's data would have been used in exactly
18 the same matter as data having captured in
19 the user's regular mode?

20 MS. CRAWFORD: Objection.

21 A. I don't know specifically how the
22 data would be used, but I can talk to how it
23 wouldn't be used differently because...

24 Q. Sorry, Mr. McClelland, I wanted to
25 clarify something quickly before you answer.

1 R. McClelland

2 So I'm going to rephrase my
3 question again because I realize I left
4 something important out.

5 Can you give me examples of how
6 Incognito private browsing user data would
7 have been used in exactly the same manner as
8 data that was captured -- having been
9 captured in the user's regular mode?

10 MS. CRAWFORD: Objection as to user
11 in this context.

12 A. For example, a user who launched an
13 Incognito window who navigated to Google.com
14 and undertook a search, the Google.com web
15 service in this instance would create a new
16 cookie for that user, that user presenting as
17 a whole new user that has never been seen
18 before due to the nature of Incognito mode.

19 They are given a new cookie that
20 holds the unique identifier for that profile.
21 That cookie is held in memory on the user's
22 computer because it's in Incognito mode.

23 For the duration of that search,
24 session data is logged against the ID that
25 represents that profile on the server. When

1 R. McClelland

2 the user closes the last Incognito tab or
3 window, locally, that cookie is erased from
4 memory, but because on the server side, there
5 is no awareness that that was an Incognito
6 session.

7 That profile, with its
8 corresponding data will become -- best way of
9 explaining, orphaned, so it will continue to
10 exist, but it would never be supplemented
11 with any additional data.

12 Q. When you say, that data is logged
13 in the server, are you referring to Google's
14 servers?

15 A. I'm referring to any web server,
16 Google or otherwise.

17 Q. But it includes Google?

18 A. It does include Google, yes.

19 Q. When data is logged on Google
20 servers from Incognito private browsing
21 sessions, how does Google use that data?

22 MS. CRAWFORD: Objection, vague and
23 overbroad, calls for speculation.

24 A. I don't know. It's really outside
25 of my area of expertise at Google. I can't

Page 82

1 R. McClelland
2 add a huge amount that any other layperson
3 could.

4 Q. What is your understanding of how
5 Google could use that data?

6 A. For example, they could build a
7 tracking profile for that limited amount of
8 data captured within the single Incognito
9 session, so that within that Incognito
10 session, the user begins to experience
11 personalized targeted advertising to be
12 clear, though that is only within a single
13 Incognito session, and with each new
14 Incognito session, that process starts
15 afresh.

16 Q. What kind of information could be
17 included in that tracking profile you
18 mentioned?

19 MS. CRAWFORD: Objection.

20 A. Again, outside of my area of
21 expertise really. The websites visited the
22 searches undertaken, the activities
23 undertaken within that website, again, Google
24 or otherwise.

25 Q. As far as you know, has Google ever

Page 83

1 R. McClelland
2 allowed users to view all the data that
3 Google has collected from the Chrome
4 Incognito browsing?

5 MS. CRAWFORD: Objection, assumes
6 facts, lack of foundation, vague and
7 overbroad, calls for speculation.

8 A. I don't know. I know that Google
9 provides mechanisms through which it can be
10 deleted. I'm not aware if there is a way of
11 seeing the data to answer the precise
12 question.

13 Q. What mechanisms are you referring
14 to for which data can be deleted?

15 A. In the user's account pages, you
16 can delete previously accumulated data for
17 different Google services.

18 Q. Can users delete Incognito private
19 browsing mode data?

20 A. They would only be able to delete
21 general browsing data because the web server
22 cannot differentiate between regular and
23 Incognito usage.

24 Q. If you look at the next paragraph,
25 it says, Regulators, Google as a single entry

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1 R. McClelland
2 point.

3 Do you see that?

4 A. I do, yes.

5 Q. Regulators do not differentiate
6 between Chrome and Google in the same way we
7 do. There is only Google. An assertion from
8 a user in one product must be adhered to
9 across the board.

10 Did I read that correctly?

11 A. You did, yes.

12 Q. What did you understand regulators
13 to mean?

14 MS. CRAWFORD: Objection.

15 A. My intent with the word,
16 regulators, here were external third party
17 organizations who have an interest in how
18 Google uses data.

19 Q. Can you explain a little more about
20 what you mean by external third party
21 organizations?

22 A. Government entities, typically, who
23 are responsible and charged with enforcing or
24 shaping law.

25 Q. Does that include United States

Page 85

1 R. McClelland
2 Government entities?

3 A. It includes all global governments.

4 Q. What do you understand this to
5 mean, that in the context of regulators,
6 there is only one -- strike that.

7 What do you understand this to
8 mean, that in the context of regulators,
9 there is only Google?

10 MS. CRAWFORD: Objection.

11 A. From the inside out at Google,
12 Chrome has what is referred to as a
13 privileged level of trust with the user as it
14 is included in a product area that includes
15 Android. It includes platforms which are
16 operating systems and Chrome. Anything that
17 is running software on the user's own
18 physical device is included within that group
19 and that includes Chrome. It, therefore, has
20 privileged access to user behavior, that from
21 Chrome and from Google's point of view,
22 should be unavailable to other areas of
23 Google.

24 Conversely, from the outside in,
25 the general view was that Google is Google or

22 (Pages 82 to 85)

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R. McClelland

A. It's a more commonly used phrase, tracking of user behavior. It's often used in a way that is intended to be nefarious, but it's also a more commonly applied technique that is not necessarily nefarious. Sort of a complex answer. But, generally, no, it's a broader concept of being able to track a user and profile a user for various purposes.

Q. So I assume when you've used the word tracking in your testimony today, is it fair to assume that the connotation is one other than the nefarious association that you just mentioned?

A. It's intended to be used neutrally, but the important point is that in certain circumstances, it is undesired tracking on the users' behalf and the ability for the user to control that tracking is what we are normally referring to.

Q. Are you aware -- before I get there, in your communications with plaintiffs' counsel proceeding the scheduling of your deposition, did they provide you with

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R. McClelland

a copy of their complaint against Google?

A. I don't think they did, but my memory is a bit hazy now.

Q. At any point prior to your testimony today, have you received a copy of the complaint that plaintiffs filed against Google in this lawsuit?

A. Again, hazy, but I think I did get a copy of it later.

Q. Do you recall reviewing the complaint that you received at some point?

A. I didn't go through it in detail, no.

Q. So let me ask the foundational question then. Are you aware that the plaintiffs' lawyers in this case are alleging that Google creates, quote, cradle to grave profiles that, closed quote, that combine logged out private browsing data with non-private browsing data?

MS. BAEZA: Objection, form, mischaracterizes the document.

A. I wasn't aware of that specific phrase, no.

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R. McClelland

Q. Would it be helpful if I showed you the allegation that I'm referring to in context, because I'm curious to see if you have any reaction to some of the allegations that they've made against Google in light of your work as a Chrome browser privacy product manager, would that be helpful?

A. I would be happy to look at the document, yes.

MS. BAEZA: Objection to form, mischaracterizes the document. The lawyers aren't making allegations, the plaintiffs in the case are.

MS. CRAWFORD: Noted for the record.

We will proceed with introducing what's been marked as tab 8. Tab 8 should be an excerpt from the complaint that plaintiffs' counsel has filed and that contain the allegations from plaintiff in this case against Google.

Q. If you could please let me know when you have that document open and in front of you.

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R. McClelland

A. I'm looking at it now.

MS. CRAWFORD: I don't see it on the screen here, but would it be possible for someone to put that up so that I can have a look, as well.

Q. Please take a moment to familiarize yourself with this excerpt from the 75-page complaint that plaintiffs in this case have filed against Google and let me know when you are done.

(Exhibit 25, excerpt from 75-page complaint, marked for identification.)

A. Okay. I have read it. Thank you for your patience.

Q. Absolutely.

Did you see in paragraph 93, which starts on page 30 of 75 and continues on to page 31 of 75, where it is alleged that Google has, quote, gained a complete cradle to grave profile of users, closed quote?

A. I see it, yes.

Q. Then it goes on to explain, in sub letters A through E, the alleged ways in which that cradle to grave profile exists.

73 (Pages 286 to 289)

Page 290

1 R. McClelland
2 Do you see those explanations, as
3 well?

4 A. I do, yes.

5 Q. Based on your work as product lead
6 for Chrome browser privacy, are these
7 allegations accurate, Mr. McClelland?

8 A. I will address them one by one
9 perhaps.

10 Q. Specifically the allegation that
11 Google creates a cradle to grave profile that
12 creates logout private browsing data with
13 non-private browsing data?

14 A. My understanding and my experience
15 at Google would indicate that that is not the
16 case.

17 From memory, tracking data after 18
18 months is discarded, it's no longer useful,
19 so the longest profile is based upon 18
20 months' worth of data. Signed-in data is
21 never -- there is no attempt to link signed
22 in -- authenticate user data with non-signed
23 in data and certainly Incognito sessions were
24 not joined with regular sessions.

25 Q. Do you have any other reactions in

Page 291

1 R. McClelland
2 reading these allegations as to the ways in
3 which this framing is inconsistent with your
4 work at Google or your understanding of how
5 private browsing mode for Chrome worked?

6 MS. BAEZA: Objection to form,
7 mischaracterizes testimony, compound.

8 Q. You can answer.

9 A. It tends to assume a short-term
10 revenue interest at the expense of long-term
11 sustainability of the web ecosystem. I don't
12 feel that it is Google's desire for long-term
13 sustainability is accurately reflected in
14 these statements.

15 Q. And what is your view of Google's
16 desire -- what do you understand Google's
17 desire for long-term sustainability to be,
18 based on your role as product lead for Chrome
19 browser privacy?

20 A. Google's desire is to have a web
21 ecosystem that continues to thrive, continues
22 to grow and continues to be the preferred
23 place for people to access content and to use
24 web functionality and for developers to be
25 the preferred platform to launch

Page 292

1 R. McClelland
2 functionality and for publishers and content
3 creators, the preferred platform through
4 which to distribute their content.

5 Q. Do you have -- before I move on to
6 another paragraph in this exhibit, do you
7 have any other reactions as to the ways in
8 which these allegations are inconsistent with
9 your understanding of how Incognito mode for
10 Chrome worked during your time with the
11 company?

12 A. No, I think we've discussed them
13 all already. The non-joining of
14 authenticated and non-authenticated and the
15 non-joining of regular and Incognito
16 sessions.

17 Q. So then if we can, let's scroll up
18 a bit and look on page 30 of 75.

19 Again, this time, I'm going to
20 direct you to paragraph 91.

21 MS. CRAWFORD: Can you -- can we
22 scroll back up to page 30 of 75, please,
23 and can we place on the screen paragraph
24 91?

25 THE EXHIBIT TECH: The document I

Page 293

1 R. McClelland
2 have is only two pages and it ends at
3 page 29.

4 MS. CRAWFORD: I'm referring to the
5 page numbers in the header of the
6 document. It's dually paginated. It
7 would be internal page 28 and PDF page
8 30. If you can please spotlight
9 paragraph 91, which I will read
10 momentarily.

11 Q. The complaint at paragraph 91
12 alleges, quote, because Google has already
13 collected detailed profiles on each user and
14 their devices, Google is able to associate
15 the data collected from users in private
16 browsing mode with those users' preexisting
17 Google, quote, profiles. Doing so improves
18 the, quote, profiles and allows Google to
19 sell more targeted ads at those users, among
20 many other users.

21 Did I read that correctly?

22 A. You did, yes.

23 Q. And I think I understand from your
24 testimony, but I just want to be clear while
25 we have this allegation up in front of us,

74 (Pages 290 to 293)

Page 326

1
2 ---
3 EXHIBIT
4 ---

5 EXHIBIT PAGE
6 Exhibit 13 Documents bearing Bates 189
7 Stamp No. GOOG-CABR-00173728
8 through GOOG-CABR-00173735
9 Exhibit 14 Documents bearing Bates 192
10 Stamp No. GOOG-CABR-01561563
11 through GOOG-CABR-01561579
12 Exhibit 16 Documents bearing Bates 199
13 Stamp No. GOOG-CABR-00358713
14 and GOOG-CABR-00358714
15 Exhibit 17 Document bearing Bates 208
16 Stamp No. GOOG-CABR-00799341
17 Exhibit 15 Documents bearing Bates 209
18 Stamp No. GOOG-CABR-05256755
19 through GOOG-CABR-05256760
20 Exhibit 18 Documents beginning with 231
21 Bates stamp No. GOOG-CABR-05145880
22 Exhibit 19 Documents beginning with 248
23 Bates stamp No. GOOG-CABR-0502836
24 Exhibit 20 Documents beginning with 260
25 Bates stamp No. GOOG-CABR-00503128

Page 327

1
2 ---
3 EXHIBIT
4 ---

5 EXHIBIT PAGE
6 Exhibit 21 Documents beginning with 265
7 Bates stamp No. GOOG-BRWN-0045551
8 Exhibit 22 Documents beginning with 268
9 Bates stamp No. GOOG-CABR-00483672
10 Exhibit 23 Documents beginning with 275
11 Bates stamp No. GOOG-CABR-00892455
12 Exhibit 24 Documents beginning with 281
13 Bates stamp No. GOOG-CABR-05236676
14 Exhibit 25 Excerpt from 75-page 288
15 complaint
16 Exhibit 26 Documents beginning with 300
17 Bates stamp No. GOOG-BRWN-00029326
18 Exhibit 27 Excerpt from complaint 302
19 Exhibit 28 Document bearing Bates 322
20 Stamp No. GOOG-CABR-05786200
21
22
23
24
25

Page 328

1
2 ---
3 DEPOSITION SUPPORT INDEX
4 ---

5 Direction to Witness Not to Answer
6 Page Line Page Line Page Line
7 None

8 Request for Production of Documents
9 Page Line Page Line Page Line
10 None

11 Stipulations
12 Page Line Page Line Page Line
13 None

14 Questions Marked
15 Page Line Page Line Page Line
16 None

17 To Be Filled In
18 Page Line Page Line Page Line
19 None

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1
2
3 CERTIFICATE

4 I HEREBY CERTIFY that the witness,
5 RORY McCLELLAND, was duly sworn by me and
6 that the deposition is a true record of the
7 testimony given by the witness.

8 _____
9 Leslie Fagin,
10 Registered Professional Reporter
11 Dated: February 18, 2022

12 (The foregoing certification of
13 this transcript does not apply to any
14 reproduction of the same by any means, unless
15 under the direct control and/or supervision
16 of the certifying reporter.)
17
18
19
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21
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25

83 (Pages 326 to 329)

EXHIBIT 43

Putative Class Members' Alleged Contracts with Google During the Class Period

Terms of Service (Applies to Class 1 and 2)	Limitation of Liability	Incorporation of Privacy Policy
June 1, 2016 to March 30, 2020	Yes	Yes
March 31, 2020 to January 4, 2022	No	No
January 5, 2022 to present	Yes	“[E]ncourage[s]” users “to read it”

Privacy Policy (Applies to Class 1 and 2)	Mentions Incognito and/or Private Browsing	Indirectly Links to Search & Browse Private Page
June 1, 2016 to May 24, 2018	No	No
May 25, 2018 to February 9, 2022	Mentions Incognito mode only	Yes
February 20, 2022 to present	Mentions a “private mode” and Chrome Incognito mode	Yes

Incognito Screen (Applies to Class 1 only)	“Learn More” Page	Cookie-Blocker Toggle
August 2016 to July 2017	“Browse in private” (McPhie Ex. 16)	No
July 2017 to May 2020	“How Private Browsing Works in Chrome” (McPhie Ex. 18)	No
June 2020 to present	“How Chrome Incognito keeps your browsing private” (McPhie Ex. 29)	Yes

EXHIBIT 44

**Sealed in its
Entirety**

EXHIBIT 45

**Sealed in its
Entirety**

EXHIBIT 46

Morgan & Morgan - Free Case E x +

forthepeople.com/free-case-evaluation/get-a-lawyer/?utm_source=google&utm_medium=cpc&utm_campaign=12012553835&utm_term=%2Bmorgan%20%2Band%20%2Bmorgan&utm_content=490053784051&ads_adid=490053784051&utm_k...

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Settlement

WHAT WE WON

\$1,250,000,000

Jacob T. Rodgers v. City of Gainesville D/B/A Gainesvill...

Car Accident

WHAT WE WON

\$120,000,000

GOOG-CABR-05877547

EXHIBIT 47

Boies Schiller Flexner LLP - Boies x

bsflfp.com

BSF BOIES
SCHILLER
FLEXNER

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About Us Practices **Lawyers** Diversity Careers News & Events LGBTQ+ in Law

Solving Complex Disputes

We use cookies to enhance your experience on our website. By using this site, you consent to our [Cookie Policy](#).

Incognito

Page Filesystem Overrides

- top
- www.bsflfp.com
 - cached/40046
 - cdn-cgi/scripts/5c5dd728/cloudflare-static
 - images/content/4
 - (index)
- analytics.rubensteintech.com
- fonts.googleapis.com
- pytypekit.net
- use.typekit.net
- www.google-analytics.com
- www.google-tagmanager.com

Ctrl + P Open file
Ctrl + Shift + P Run command
Drop in a folder to add to workspace
[Learn more about Workspaces](#)

Scope Watch

EXHIBIT 48

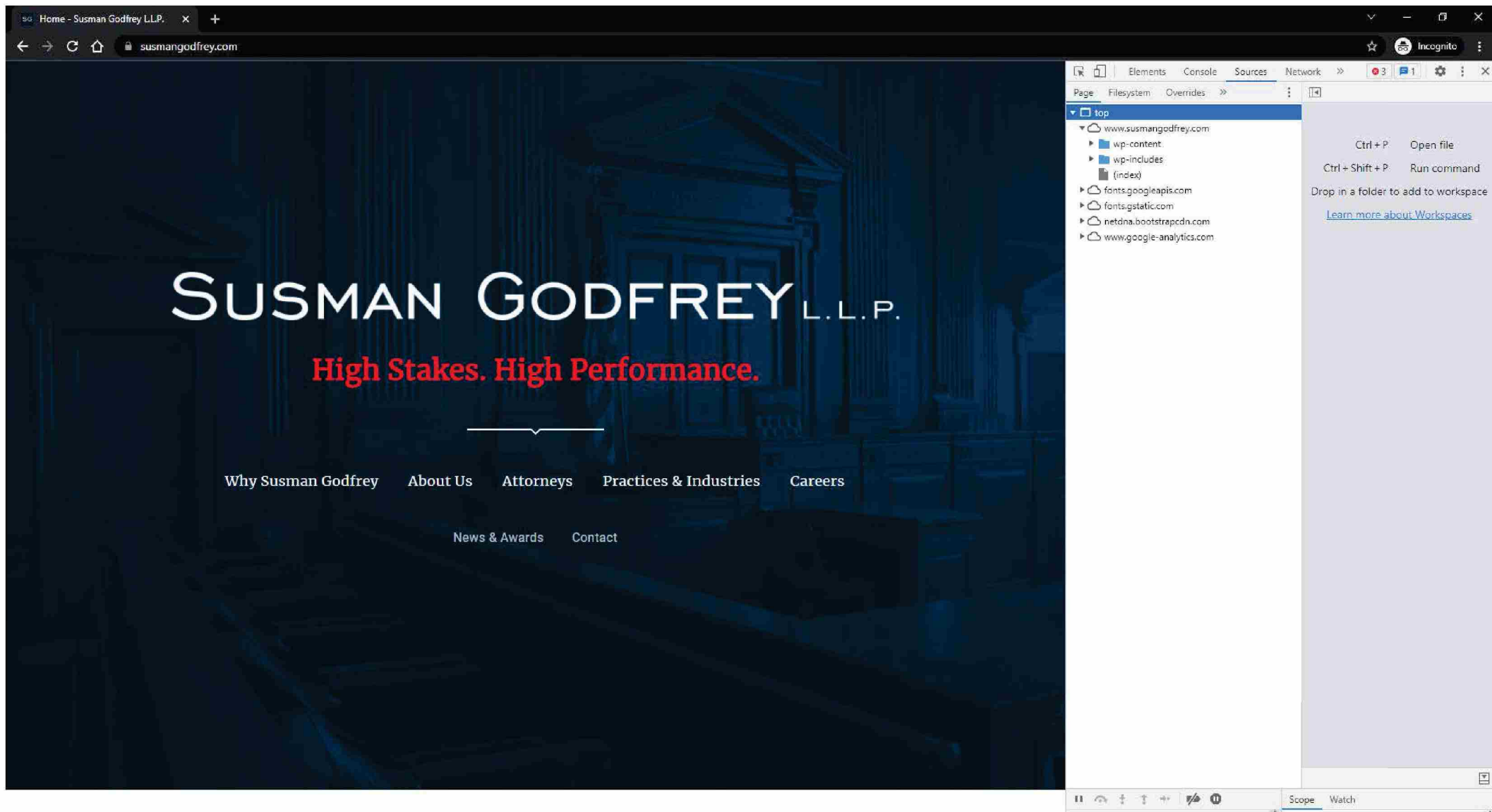


EXHIBIT 49

PRIVACY POLICY

This Privacy Policy describes our policies and procedures on the collection, use and disclosure of your information when you use our website and tells you about your privacy rights and how the law protects you.

By using this website, you agree to the collection and use of information in accordance with this Privacy Policy.

Interpretation and Definitions

For the purposes of this Privacy Policy:

You means the individual accessing or using the Website, or the company, or other legal entity on behalf of which such individual is accessing or using the Website, as applicable.

Company (referred to as either “the Company”, “We”, “Us” or “Our” in this Agreement) refers to Hochman Consultants, LLC, 615 W. Johnson Ave, Suite 202 Cheshire, CT 06410.

Website refers to Hochman Consultants, accessible from

Elements Console Sources Network Performance Memory Application

Page Filesystem

top

- www.hochmanconsultants.com
 - cdn-cgi/scripts
 - privacy
 - (index)
 - wp-content
 - wp-includes
- fonts.gstatic.com
- www.google-analytics.com
- www.googletagmanager.com

Ctrl + P Open file

Ctrl + Shift + P Run command

Drop in a folder to add to workspace

[Learn more about Workspaces](#)

Watch

Breakpoints

No breakpoints

Scope

Not paused

Call Stack

Not paused

XHR/fetch Breakpoints

DOM Breakpoints

Global Listeners

Event Listener Breakpoints

CSP Violation Breakpoints

Console What's New

Highlights from the Chrome 103 update

Performance Insights updates

Better zoom control, improved display in the Details pane, and more.

Improved color picker

Pick a color outside of the browser window with the new eye dropper in color picker.

Recorder panel updates

new

EXHIBIT 50

The screenshot shows the Keegan & Donato Consulting website in a web browser. The website features a large image of two men in suits sitting in a bamboo forest. A semi-transparent purple circle with the text "We Love Surveys" is overlaid on the image. To the right of the image, there is text describing the company's services.

Website Content:

- Header:** KEEGAN & DONATO CONSULTING, LLC. Navigation links: HOME, SERVICES, METHODOLOGY, EXPERIENCE, RATES & FEES, CONTACT, SCHEDULE A CALL.
- Main Image:** Two men in suits sitting in a bamboo forest.
- Text Overlay:** "We Love Surveys"
- Text:**
 - Keegan & Donato Consulting is a specialty research firm serving attorneys and their clients.
 - We provide independent and reliable consumer-based survey research solutions.
 - We inform litigators so strategic case decisions can be made with confidence.

Chrome DevTools:

- Filesystem:** Shows the local file structure, including folders like "wp-content" and "wp-includes", and files like "index", "assets", "connect.facebook.net", "fonts", "maps", "www.google-analytics.com", "www.google.com", "www.googletagmanager.com", "www.gstatic.com", "a-ot527x1u1m2 (anchor)", "about:blank", "about:blank", "keegandonato", "webworker.js", and "webworker.js".
- Console:** Shows "Highlights from the Chrome 102 update" with three items:
 - New preview feature: Performance insights panel**: Get actionable and use-case-driven insights on your website's performance.
 - New emulation shortcuts in the Styles pane**: Emulate light themes, dark themes, and more with the emulation shortcuts.
 - Display highlight pseudo styles in the Styles pane**: Display ":selection", ":spelling-error", and more in the Styles pane.
- What's New:** A small video player showing a "new" feature.

EXHIBIT 51

Drudge Report Privacy Policy

Last Updated: August 31, 2020

Drudge Report is a news website (see "[Who We Are](#)"). We are concerned about privacy issues and want you to be familiar with how we collect, use, and share information and how you can exercise the privacy rights available to you. This Privacy Policy ("**Policy**") covers the information that we may process:

1. About individuals who visit, use, or interact with the Drudge Report Properties (see "[Privacy for the Drudge Report Properties](#)").

If you are resident in the European Economic Area and want to find out more about your data protection rights, please see "[Your Data Protection Rights](#)".

If you are resident of California, see "[California Notice](#)" for a declaration of your data protection rights.

If you have any questions, you may contact us **by email**.

SECTION 1 - WHO WE ARE

A reference to "**Drudge Report**" "**we**" or "**our**" means The Drudge Report (drudgereport.com).

Drudge Report provides curated headlines with links to prevailing stories about current events worldwide. We operate a website and mobile applications, each "**Digital Properties**". We provide information to the public and digital advertising space to our "**Media Buyers**" who are advertisers and other ad partners looking to distribute relevant ad content on our Digital Properties. We display relevant online advertising to end users ("**End Users**") who interact with our Digital Properties.

Drudge Report may also share or license certain information about End Users collected in connection with our partners, agencies and other interested third parties, to help them better promote transparency and protect against fraud.

Drudge Report also collects information from individuals when they visit, use, or interact with: (i) www.drudgereport.com and other websites operated by us, including Drudge Report's client interfaces (the "**Websites**"); (ii) our software applications (the "**Apps**"); (collectively, our "**Drudge Report Properties**").

SECTION 2 - THINGS WE PROMISE NOT TO DO

This Section covers the specific things that we promise not do to that you might be concerned about.

- We do **not** collect your email address, name, or telephone number(s) in order to use our web site.
- We do **not** collect your email address, name, or telephone number(s) when you use our news tip feedback form, unless you choose to include that information in the free form text field. Only your IP address is collected in order to limit abuse of the web form.
- We do **not** send marketing or sales emails to you.

SECTION 3 – PRIVACY FOR THE DRUDGE REPORT PROPERTIES

This Section describes how we collect and use information when visitors interact with or use any of the Drudge Report Properties (such as our Website and mobile apps).

3.1 WHAT INFORMATION DO WE COLLECT?

Information that individuals provide voluntarily

Although our Website does not ask for this information, our mobile Apps may ask visitors to provide personal information voluntarily: for example, we may collect personal information when a visitor registers the app, or otherwise contacts us.

The personal information we collect may include contact information (such as name, address, telephone number, or email address) and contact preferences. It may also include professional information, such as job title, department or job role, and the nature of an individual's request or communication. We may also collect information that visitors choose to provide to us when completing any 'free text' boxes in our forms (for example, for news tips). Please do not post any information that you do not want to reveal to the public at large. We do not collect any personal information from our news tips form, except the End User IP address which is only used to prevent abuse of the form.

Information we or our third-party partners collect automatically

When using the Drudge Report Properties, we or our third-party partners may automatically collect certain information from an individual's device. In some countries, including countries in the EU, this information may be considered personal data under applicable data protection laws.

Specifically, the information we collect automatically may include IP address, operating system type and version, browser type and version, cookie ID, an individual's activities on the Drudge Report Properties, and other information about the individual's system and connection and how the individual interacts with the Drudge Report Properties and other websites. We and our third-party partners may collect this information as a part of log files and through the use of cookies or other tracking technologies, as explained further in our [Website Cookie Policy](#).

3.2 HOW DO WE USE YOUR INFORMATION?

We may use information collected from the Drudge Report Properties for the following purposes:

- **To send administrative information.** For example, to send information regarding our services and changes to our terms, conditions, and policies.
- **Interest-based advertising and analytics.** We may partner with certain third parties to collect information on the Drudge Report Properties to engage in analysis, auditing, research, and reporting, as well as to deliver advertising that we believe may interest you based on your activity on the Drudge Report Properties and other websites over time. These third parties may set and access cookies on your computer or other device and may also use pixel tags, web logs, web beacons, or other similar technologies. For more information about these practices and how to opt out, please see Drudge Report's [Website Cookie Policy](#).
- **To manage accounts and provide customer support or other services.** For example, we may use information to create or administer Drudge Report accounts and to provide customer support or other requested services or information.
- **To select content and improve quality.** We may use information to help improve the Drudge Report Properties and to ensure that content on the Drudge Report Properties is presented in the most effective manner for your device.
- **For legal purposes.** We may use information as we believe to be necessary or appropriate: (a) under applicable law, including laws outside your country of residence; (b) to comply with subpoenas, warrants, or other legal process; (c) to respond to requests from public and government authorities including public and government authorities outside your country of residence; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our affiliates; (f) to protect our rights, privacy, safety or property, and/or that of our affiliates, you or others; and (g) to allow us to pursue available remedies or limit the damages that we may sustain.
- **For our business purposes.** We may use information for our business purposes, such as data analysis, audits, identifying usage trends, determining the effectiveness of our promotional campaigns, and to evaluate and improve our products, services, marketing, and client relationships.

3.3 COOKIES AND SIMILAR TRACKING TECHNOLOGIES

We and our third-party partners may use cookies and similar tracking technologies on the Drudge Report Properties to collect and use information about you. For further information about the types of cookies and other tracking technologies we use, why, and how you can control cookies, please see our [Website Cookie Policy](#).

3.4 USE OF DRUDGE REPORT PROPERTIES BY MINORS

The Drudge Report Properties are not intended for nor directed to individuals that are deemed to be children under applicable data protection or privacy laws, and we request that such individuals do not provide information through any of the Drudge Report Properties.

SECTION 4 - GENERAL INFORMATION

4.1 HOW DO WE SHARE YOUR INFORMATION?

Information we collect may be disclosed:

- **To our affiliates:** We may disclose your information to our affiliates (see "[Who We Are](#)") for the purposes described in this Policy. Drudge Report, Inc., is the party responsible for the management of your personal information jointly used by it and its affiliates.
- **Media Buyers:** If you are an End User, we may share information we collect Media Buyer Clients for purposes relevant to our business relationships with them, such as for billing purposes, dispute resolution, or fraud prevention and to allow them to make decisions regarding buying advertising inventory on our Digital Properties and other websites and applications, and to analyze the effectiveness and performance of their advertising campaigns via our services, including sharing your device's physical location to enable our Media Buyer Clients to provide you with more personalized content and to study the effectiveness of advertising campaigns.
- **Other Clients:** If you are an End User, we may share certain information we collect in connection with our Ad Services with brands, agencies and other interested third parties to help them better identify and validate commercial opportunities, promote transparency and protect against fraud.
- **Attribution and Analytics Partners:** If you are an End User, we may share your information (such as your cookie ID, mobile device ID, or other unique identifier) with our (or our Publisher Client or Media Buyer's) attribution and analytics partners to validate and measure the success and effectiveness of ads delivered via the Platform.
- **With our vendors, consultants, and other service providers:** We may share your information with our third-party service providers, vendors, contractors, or agents who perform functions required for the operation of the business. Examples include, to provide data storage and processing services, lead management, campaign management, technical support for our Platform and Drudge Report Properties and fraud prevention.
- **Website advertising partners:** As noted above, we may partner with certain third parties to collect information on the Drudge Report Properties to engage in analysis, auditing, research, and reporting, as well as to deliver advertising that we believe may interest you based on your activity on the Drudge Report Properties and other websites over time. We may share information with them for this purpose.
- **Business transfers:** We may share your information with a third party in the event of any reorganization, merger, sale, joint venture, assignment, transfer, or other disposition of all or any portion of our business, assets or sock (including in connection with any bankruptcy or similar proceedings).
- **For legal purposes:** We may share your information as we believe to be necessary or appropriate: (a) under applicable law, including laws outside your country of residence; (b) to comply with subpoenas, warrants, or other legal process; (c) to respond to requests from public and government authorities including public and government authorities outside your country of residence; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our affiliates; (f) to protect our rights, privacy, safety or property, and/or that of our affiliates, you or others; and (g) to allow us to pursue available remedies or limit the damages that we may sustain.
- **With consent:** We may disclose an individual's information to any other person with the individual's consent to such disclosure.

4.2 YOUR OPT-OUT CHOICES

Opting out of receiving electronic communications from us

We do not send marketing-related emails to anyone. Therefore it is not necessary to opt out of receiving any marketing-related emails from us, because that will not happen. If you receive marketing related emails claiming to be from Drudge Report, they are fraudulent.

Opting out of interest-based advertising from Cookies

To opt out of receiving interest-based advertising (including retargeting) through the use of cookies in your current browser and for more information on what it means to opt out, please go to <https://drudgereport.com/privacy/opt-out/>.

See Drudge Report's [Platform Cookie Policy](#) and [Website Cookie Policy](#) for more information on how Drudge Report uses cookies and other similar technologies. For more information about cookies in general, including how to see what cookies have been set on your device and how to manage and delete them, visit www.allaboutcookies.org. For more information about how to clear your browser cache, please see your browser's instructions for doing so. Please note that deleting or resetting cookies and clearing your browser cache will not opt you out of receiving interest-based advertising (including retargeting) from Drudge Report.

We are a member of the Network Advertising Initiative (NAI) and adhere to the 2018 NAI Code of Conduct. We also adhere to the Digital Advertising Alliance's (DAA) Self-Regulatory Principles for Online Behavioral Advertising and Multi-Site Data, the Application of Self-Regulatory Principles to the Mobile Environment, and the Application of the DAA Principles of Transparency and Control to Data Used Across Devices. If you go to optout.networkadvertising.org, or optout.aboutads.info, you can learn how to exercise choice regarding the collection of information about your online activities over time and across multiple third-party websites, online services, devices, or applications for interest-based advertising purposes.

Some of our advertising networks have their own opt-out mechanisms that are linked from their sites or their online-posted privacy policies. You should review the privacy policies of those companies for these opt-out links if you no longer wish to receive targeted advertising from a particular company, or multiple companies.

At this time, we do not honor "Do Not Track" headers and similar mechanisms.

Opting Out of Interest-Based Advertising in Mobile Applications

Our clients and partners may display interest-based advertising to you in mobile applications, based on your use of mobile applications over time and across non-affiliated apps. To learn more about these practices and how to opt out, please visit <http://www.aboutads.info/appchoices>, download the DAA's AppChoices mobile app, and follow the instructions provided in the AppChoices mobile app. You can also adjust the advertising preferences on your mobile device (in iOS, visit Settings > Privacy > Advertising > Limit Ad Tracking, and in Android, visit Settings > Google > Ads > Opt out of interest-based ads).

Opting Out of Cross-Device Targeting

Our clients and partners may combine and use information from websites or applications on your current browser or device with information from your other browsers or devices for advertising purposes. To opt out of such practices by our clients and partners, please follow the instructions above for opting out on each of your browsers and on each of your mobile devices, including:

- [Opting Out of Interest-Based Advertising from Cookies](#)
- [Opting Out of Interest-Based Advertising for Mobile Advertising Identifiers](#)

Please note that you will need to opt out separately on each of your browsers and on each of your mobile devices to ensure that information collected on a particular browser or device is not used on another browser or device.

4.3 YOUR DATA PROTECTION RIGHTS

You have the following data protection rights:

- You have the right to request **access to** or that we **change, update, or delete your personal information** at any time. Please note that we may impose a small fee for access and disclosure of your personal information where permitted under applicable law, which will be communicated to you.
- If we have collected and process your personal information with your consent, then you can **withdraw your consent** at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted in reliance on lawful processing grounds other than consent.
- The right to **opt out of** receiving marketing communications from us. See "[Your Opt-Out Choices](#)" for further information.
- If you are a resident of the European Economic Area (EEA), you may also have the following rights:
 - The right to **object to processing** of your personal information, **restrict processing** of your personal information, or **request portability** of your personal information. To exercise these rights email drudge@drudgereport.com; and
 - The right to **complain to a data protection authority** about our collection and use of your personal information. For more information, please contact your local data protection authority. Contact details for data protection authorities in the EEA are [here](#).

Please note that because most of the information we store can only identify a particular browser or device, and cannot directly identify you personally, you may need to provide us with some additional information to enable us to identify the personal information we hold about you and ensure that we accurately fulfill your request and do not infringe on the privacy rights of other individuals. You can exercise your rights at any time by contacting us at drudge@drudgereport.com. We will respond to your request in accordance with our

obligations under applicable privacy laws. Please review our [Data Subject Rights Notice](#) for further information and instructions on how to exercise your rights.

4.4 LEGAL BASIS FOR PROCESSING PERSONAL INFORMATION (EEA END USERS AND VISITORS ONLY)

If you are a resident of the EEA, our legal basis for collecting and using personal information described above will depend on the personal information concerned and the specific context in which we collect it. However, we normally rely on our (or our Clients) legitimate interests to collect personal information from you, except where such interests are overridden by your data protection interests or fundamental rights and freedoms. Where we rely on our legitimate interests to process your personal information, they include the interests described in the sections above with the heading [“How Do We Use Your Information”](#) and how we use it with the [Drudge Report Properties](#).

In some cases, we may rely on your consent or have a legal obligation to collect personal information from you or may otherwise need the personal information to protect your vital interests or those of another person. If we rely on consent to collect and/or process your personal information, we will obtain such consent in compliance with applicable laws.

If you have questions about or need further information concerning the legal basis on which we collect and use your personal information, please contact us using the contact details provided under the “Contacting Us” heading below.

4.5 THIRD PARTIES

This Policy does not address, and except as otherwise described in this Policy, we are not responsible for, the privacy, information, or other practices of any third parties, including our vendors or any other third party operating any site or service to which the Ad Services or Drudge Report Properties link. The inclusion of a link through the Ad Services or Online Property does not imply endorsement of the linked site or service by us or by our affiliates.

Please note that we are not responsible for the collection, usage and disclosure policies and practices (including the data security practices) of other organizations, such as Facebook, Apple, Google, Microsoft, RIM or any other app developer, app provider, social media platform provider, operating system provider, wireless service provider or device manufacturer, including any personal information you disclose to other organizations through or in connection with the Ad Services or Drudge Report Properties.

You should always read the privacy policy of any website you access or social network page through which you share information carefully in order to understand their specific privacy and information usage practices.

4.6 HOW DO WE KEEP YOUR PERSONAL INFORMATION SECURE?

We use reasonable organizational, technical, administrative, and physical safeguards to protect the personal information we collect and process. The measures we use are designed to provide a level of security appropriate to the risk of processing your personal information and to help ensure that your data is safe and secure. However, no electronic transmission over the Internet

or information storage technology can be guaranteed to be 100% secure. If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of any account you might have with us has been compromised), please immediately notify us of the problem by contacting us in accordance with the "Contacting Us" section below.

4.7 RETENTION OF YOUR INFORMATION

We will retain personal information for the period necessary to fulfill the purposes outlined in this Policy and where we have ongoing legitimate business needs to do so (for example, to provide the Ad Services, to comply with applicable legal, tax or accounting requirements, to enforce our agreements or comply with our legal obligations) unless a longer retention period is required or permitted by law.

If you are an End User, we may retain information that we collect through the Ad Services (including the segment information that we receive from third parties) for up to 45 days from the last date that we received any of the End User's data. We may retain ad impression information for up to 45 days. We may retain raw ad server logs for our mobile ad server business for up to 45 days. We use precise geolocation for the specific ad impression to which the geolocation relates, after which the geolocation information is aggregated with other geolocation data for use by us for analytical purposes. If we de-identify information we collect through the Ad Services, we may retain that information, in an aggregated format, indefinitely. In such cases, we commit to not re-identifying the information. If we are required to retain information to comply with a legal or audit obligation, we may store End User information for longer periods.

4.8 INTERNATIONAL DATA TRANSFERS

The Drudge Report Properties and Ad Services are provided, supported, and hosted in the United States. If you are using these from outside the United States, be aware that your information may be transferred to, stored, and processed by us in our facilities and by those third parties with whom we may share your personal information, in the United States and other locations, including India, where we have offices or employees or engage service providers. These countries may have data protection laws that are different from the laws of your country of residence.

However, we have taken appropriate safeguards to require that your personal information will remain protected in accordance with this Policy. These include:

- Implementing the European Commission's Standard Contractual Clauses for transfers of personal information between our group companies, which require all group companies to protect personal information they process from the EEA in accordance with European Union data protection law. Our Standard Contractual Clauses can be provided upon request. We have implemented similar appropriate safeguards with our third-party service providers and partners and further details can be provided upon request; and
- Self-certifying to the EU-US and Swiss-US Privacy Shield Frameworks. See our Privacy Shield Notice below for further information.

4.9 PRIVACY SHIELD NOTICE

EU-U.S. Privacy Shield and Swiss-U.S. Privacy Shield Status

Drudge Report, Inc., located in the United States, participates in and has certified its compliance with the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework. We are committed to subjecting all personal information received from European Union (EU) member countries and Switzerland, respectively, in reliance on each Privacy Shield Framework, to the Framework's applicable Principles. To learn more about the Privacy Shield Frameworks, and to view our certification, visit the U.S. Department of Commerce's Privacy Shield website: <https://www.privacyshield.gov/welcome>. A list of Privacy Shield participants is maintained by the Department of Commerce and is available at: <https://www.privacyshield.gov/list>.

Drudge Report is responsible for the processing of personal information it receives under each Privacy Shield Framework and subsequently transfers to a third party acting as an agent on its behalf. We comply with the Privacy Shield Principles for all onward transfers of personal information from the EU and Switzerland, including the onward transfer liability provisions.

With respect to personal information received or transferred pursuant to the Privacy Shield Frameworks, we are subject to the regulatory enforcement powers of the U.S. Federal Trade Commission. In certain situations, we may be required to disclose personal information in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

If you have an unresolved privacy or data use concern that we have not addressed satisfactorily, please contact our U.S.-based third-party dispute resolution provider TRUSTe (free of charge to you) at <https://feedback-form.truste.com/watchdog/request>. Under certain conditions, more fully described on the Privacy Shield website, <https://www.privacyshield.gov/article?id=How-to-Submit-a-Complaint>, you may be entitled to invoke binding arbitration when other dispute resolution procedures have been exhausted.

Residents of the EU and Switzerland may also request our data processing agreements in addition to relying on Drudge Report's Privacy Shield certification.

4.10 SENSITIVE INFORMATION AND OUR USE OF NON-SENSITIVE HEALTH SEGMENTS

We ask that you not send us, and you not disclose, any sensitive personal information (e.g., social security numbers, information related to racial or ethnic origin, political opinions, religion or other beliefs, health, criminal background, or trade union membership) on or through the Drudge Report Properties or otherwise to us.

We may receive the following non-sensitive health-related advertising segments that we use to target ads that may be of interest to End Users: diet and fitness; doctors; health care professionals; health conscious; health and medicine; health and well-being; interest in health insurance; and pregnancy.

4.11 UPDATES TO THIS POLICY

We will review and update this Policy periodically and will note the date of its most recent revision at the top of this Policy. If we make material changes to this Policy, we will post the revised Policy on our website and may take additional measures to inform you about such changes if required by applicable data protection laws. We encourage you to review this Policy frequently to be informed of how Drudge Report is protecting your information.

4.12 CONTACTING US

If you have any questions about this Policy or Drudge Report's privacy practices, please contact us by email at drudge@drudgereport.com.

Please note that email communications are not always secure, so please do not include sensitive information in your emails to us.

To comply with our obligations under EU data protection legislation, we have appointed a Data Protection Officer (DPO). Our DPO is contactable at drudge@drudgereport.com or by mail using the details provided above.

Who is the controller of my data? For the purposes of EU data protection legislation, Drudge Report is the controller of your personal information.

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EXHIBIT 52

Free Shipping with \$25 purchase or fast & free Store Pickup. [Exclusions](#)

Wedding Registry

Macy's Downtown



Search

[Now Trending](#) [Women](#) [Men](#) [Kids & Baby](#) [Beauty](#) [Home](#) [Furniture](#) [Shoes](#) [Jewelry](#) [Handbags](#)

Fabulous Fall Sale
25-60% off
Get set from first chill to totally brrr.

[Women](#) [Men](#) [Kids](#) [Jewelry](#)
[Handbags](#) [Home](#) [Bed & Bath](#) [Kitchen](#)



+Extra 20% off
Extra 15% or 10% off select sale & clearance items. Excludes Specials.
Code: **FALL** [Exclusions](#)

Dressing up is back in style
Come find great brands and value
[Shop Now](#)



Sponsored

Hi there!

★ STAR REWARDS

Join Star Rewards for free to unlock major benefits, track orders & more.

[Join For Free](#)

Deals on our radar

[Shop All](#)



This website uses cookies to enhance user experience and to analyze performance and traffic on our website. We also share information about your use of our site with our social media, advertising and analytics partners. [Find out more here](#)

Cookie Preferences

Accept Cookies



It's inside season, get ready

Shop select styles & brands.



Elevate gatherings with cozy accents & rich colors
[Decor](#)



Set a harvest-inspired table with natural elements
[Serveware](#)



Mix & match serving pieces to create a festive focal point
[Shop Dining](#)



Raise the bar(ware) when concocting your cocktails
[Barware](#)



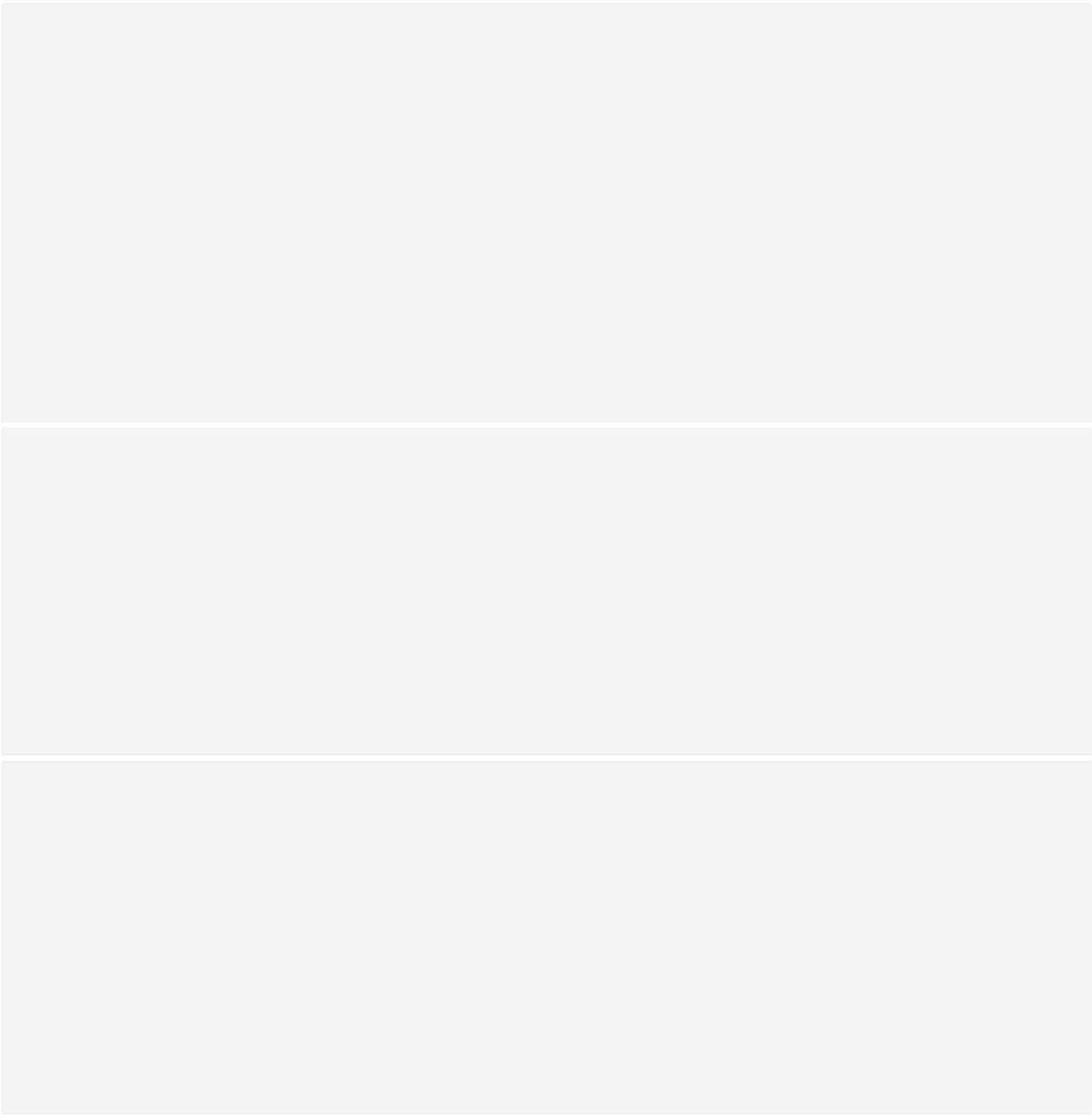
Keep your go-to soups simmering 24/7
[Kitchen Electrics](#)

This website uses cookies to enhance user experience and to analyze performance and traffic on our website. We also share information about your use of our site with our social media, advertising and analytics partners. [Find out more here](#)

Cookie Preferences

Accept Cookies



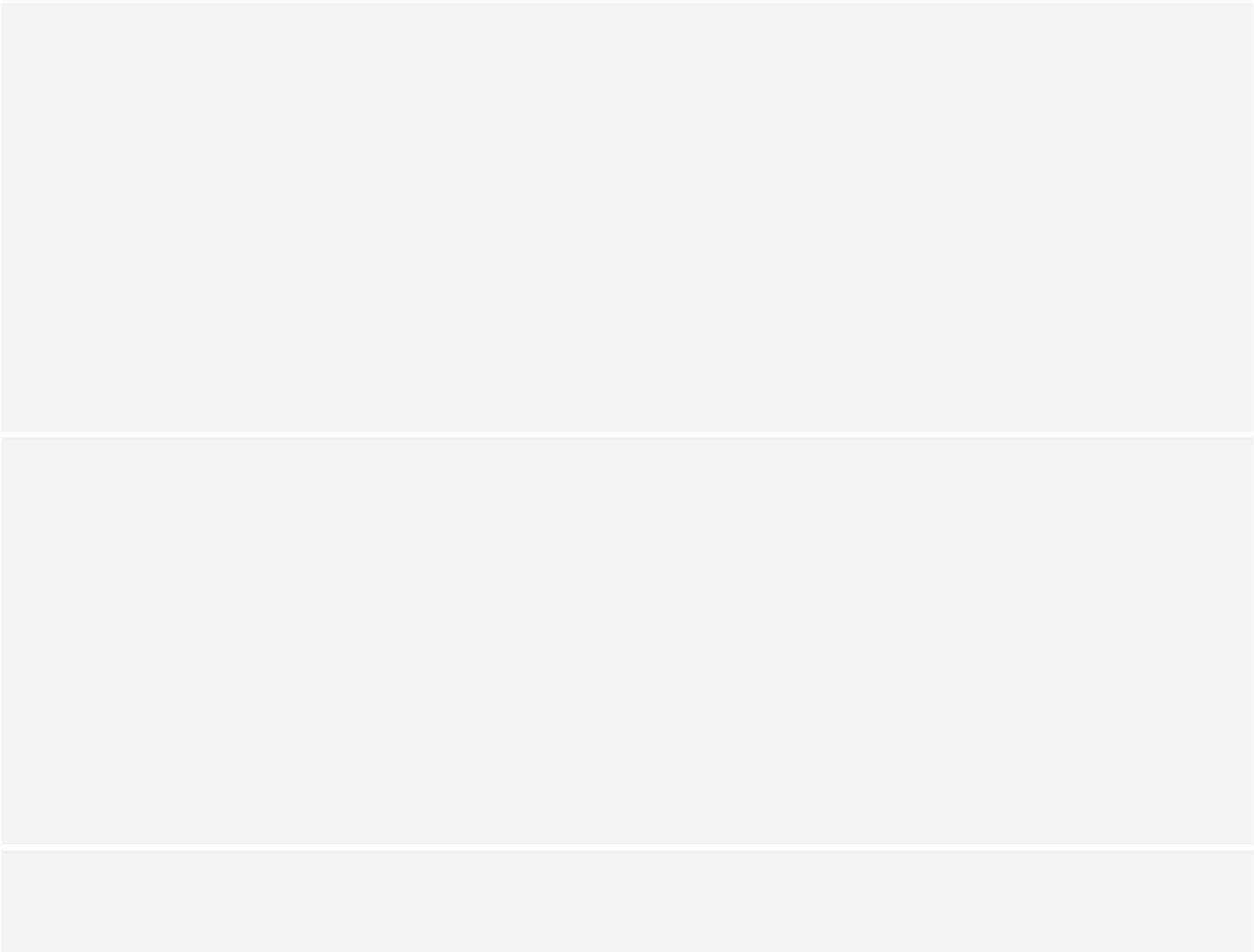


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Cookie Preferences

Accept Cookies



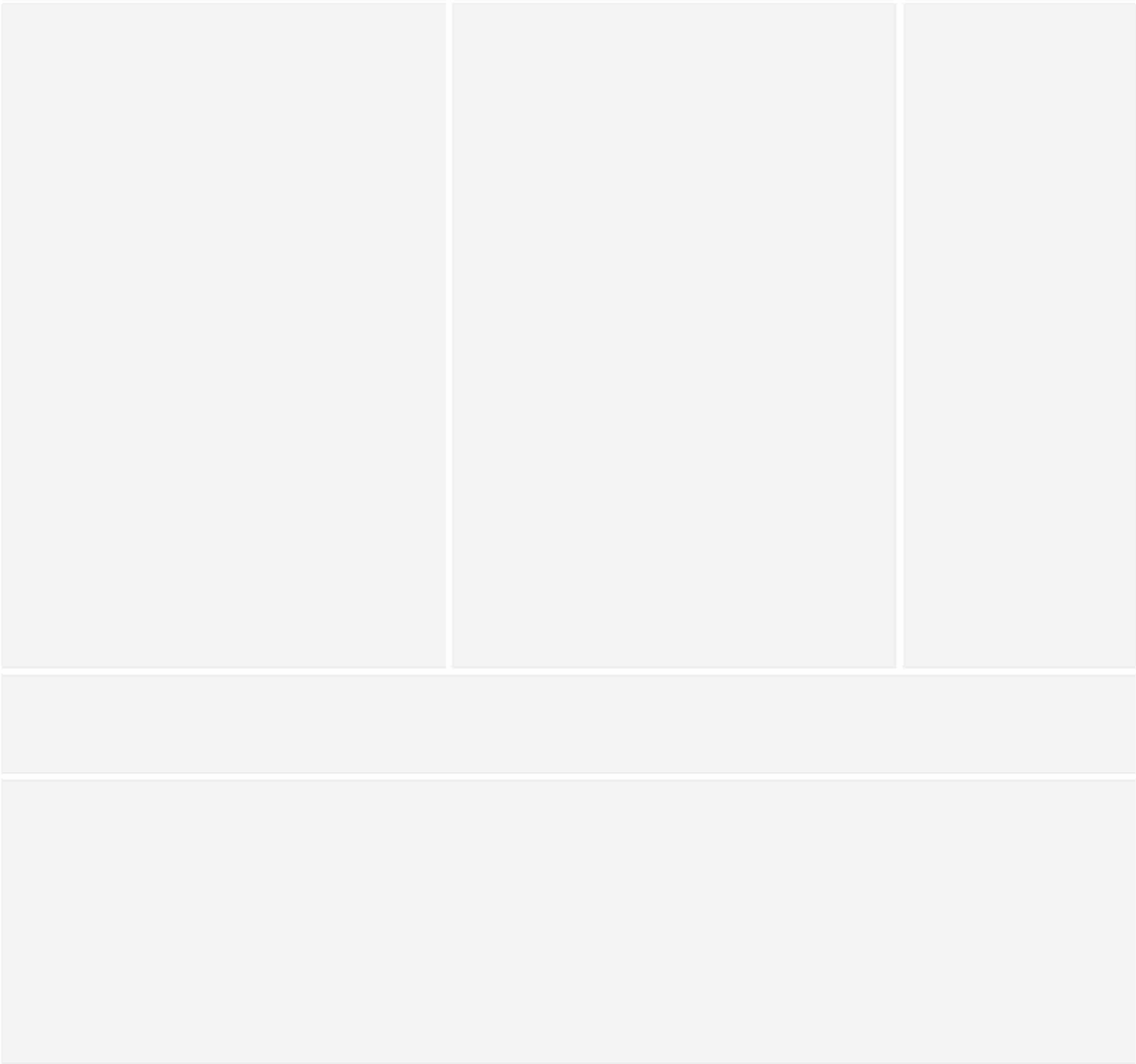


This website uses cookies to enhance user experience and to analyze performance and traffic on our website. We also share information about your use of our site with our social media, advertising and analytics partners. [Find out more here](#)

Cookie Preferences

Accept Cookies



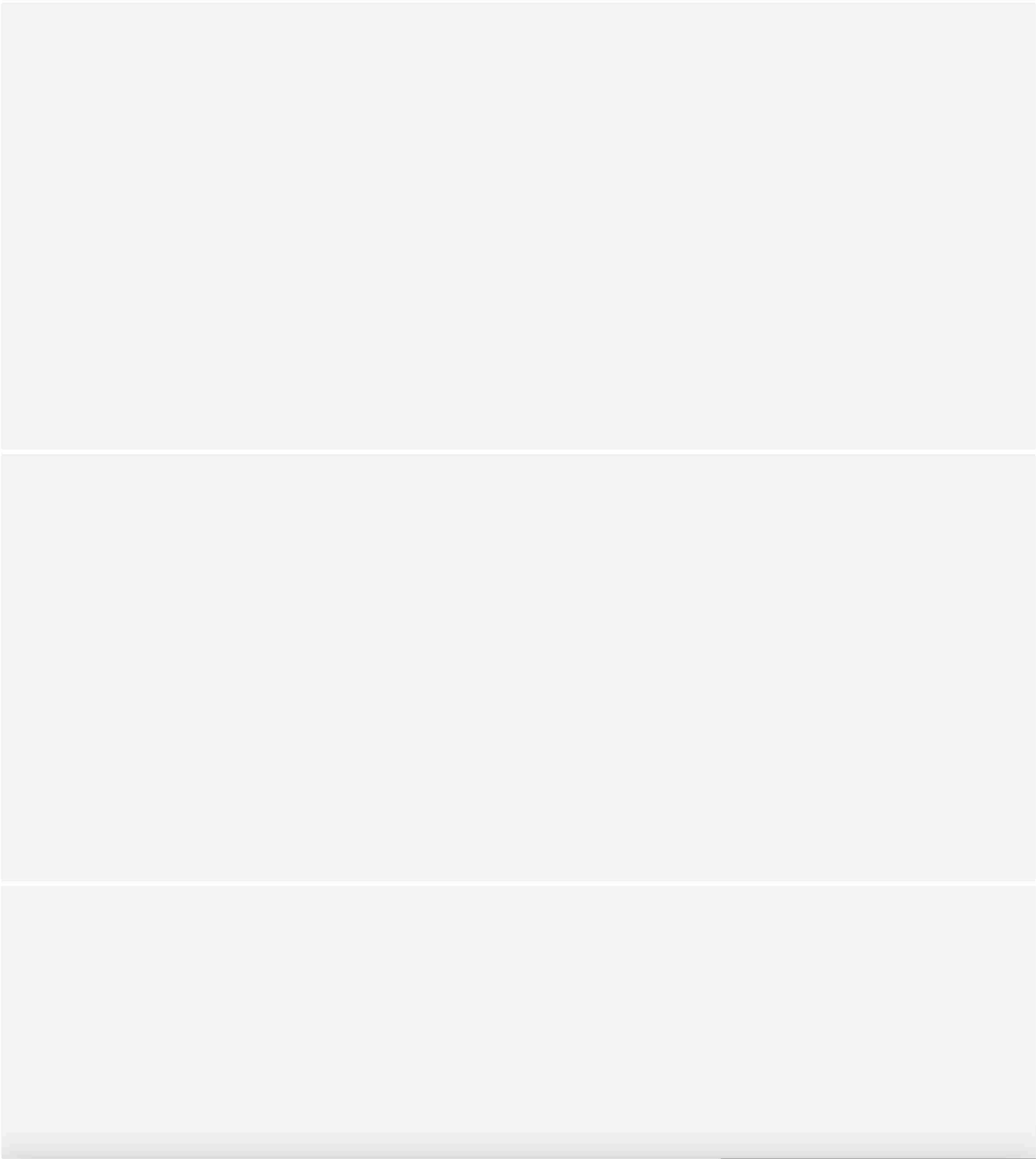


This website uses cookies to enhance user experience and to analyze performance and traffic on our website. We also share information about your use of our site with our social media, advertising and analytics partners. [Find out more here](#)

Cookie Preferences

Accept Cookies





This website uses cookies to enhance user experience and to analyze performance and traffic on our website. We also share information about your use of our site with our social media, advertising and analytics partners. [Find out more here](#)

Cookie Preferences

Accept Cookies



Customer Service

[Help & FAQs](#)
[Order Lookup](#)
[Shipping & Delivery](#)
[Returns](#)
[Klarna](#)
[Contact Us](#)
[Para Ayuda](#)
 [Change Location](#)

Macy's Credit Card

[Macy's Card Services](#)
[Pay Your Credit Card Bill](#)
[Cardholder Benefits](#)
[Apply for Macy's Credit Card](#)

Our Stores

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EXHIBIT 53

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Privacy Policy

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- When you visit our website for informational reasons without setting up an account, only limited personal data will be processed to provide you with the website itself (see III).
- If you are identified as belonging to a customer organization then we collect information in order to be able to provide usage reporting to that customer.
- In case you register for one of our services or subscribe to our newsletters, further personal data will be processed in the scope of such services (see IV and V).

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- **Processing:** means any operation which is performed on personal data, such as collection, recording, organization, structuring, storage, adaptation or any kind of disclosure or other use.

III. Informational use of the website

When you visit our website for informational reasons, i.e. without registering for any of our provided services listed under IV and without providing us with personal data in any

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We use such information only to assist us in providing an effective service (e.g. to adapt our website to the needs of your device or to allow you to log in to our website), and to collect broad demographic information for anonymized, aggregated use.

If you are identified by IP or equivalent method as belonging to a customer organization such as university or a company then we will also collect the identity of that organization and use it to create usage reports which show the organization how much of the content we publish is being used by their students, members or employees. This information

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- *Information (such as your name, user name and email address) that is provided by registration;*
- *Information in connection with an account sign-in facility (e.g. log-in and password details);*
- *Communications sent by you (e.g. via e-mail or website communication forms).*

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- *Facilitate attendance of conference*

- *Provide access (where appropriate) to other Springer Nature group content if you so request*

For this, the legal basis is Article 6 sec. 1 sent. 1 lit. b GDPR. The use of your personal data for behavioral advertising and profiling is done for the legitimate interest to improve your experience while using the website, Article 6 sec. 1 sent. 1 lit. f GDPR.

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a request is received we will erase your data within 30 days. Statutory storage obligations or the need for legal actions that may arise from misconduct within the services or payment problems can lead to a longer retention of your personal data. In this case, we will inform you accordingly.

V. Information about the specific uses that require registration

1. Blog

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service at help@sciam.com. If you have made a purchase with your account, your account cannot be deleted. However, we can render your account inoperable by removing your personal information, including your email address. We will not perform any action to your account without your expressed permission. This processing is based on Article 6 sec. 1 sent. 1 lit. b.

By statutory law we are required to retain the provided financial data in relation to transactions (including address, payment and order information) for ten years.

However, after 2 years we will restrict the processing of your personal data to comply

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If you reside in the EU please be aware that your personal data will be transferred back to Facebook to facilitate advertisements. Facebook processes this data also in countries outside of the EU where a different level of data protection applies and access to the data by authorities and public bodies is possible. With your consent, you also agree to the transfer to Facebook in third countries, including the USA.

The legal basis for this processing is Article 6 sec. 1 sent. 1 lit. a GDPR. Your email

address will be retained as long as you subscribe to our newsletter.

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collect data through a third party vendor such as Eventsforce Solutions Ltd.

Eventsforce act as a data processor on our behalf. The use of your personal data in relation to conference attendance is based on Article 6 sec. 1 sent. 1 lit. b GDPR and Art. 9 sec. 2 lit. a GDPR with regard to all health-related information you share with us in order to enable us to provide the required physical assistance to you.

With the consent of attendees, we may use personal data, specifically identification data such as name and email address, to share information with attendees about future

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The cookies and web beacons enable our service providers to collect information about you and your surfing behaviour, e.g. IP address, browser information, information on user activities and click data, and to recognize visitors to our website under a pseudonym and only display products that are likely to be of interest to our visitors. Most of the tools use pseudonymised or aggregated data, e.g. shortened IP addresses. The data is used to analyse the use of our website and, thereby, improve and optimize the website and to display advertising tailored to your needs. We collect this data (to improve your website experience and to promote our products and services) via

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You can prevent the installation of such a cookie (i) by a respective setting of your browser that blocks the installation of third party cookies, (ii) by deactivating the interest-related advertising under <https://adssettings.google.com/authenticated>, (iii) generally blocking cookies under <https://support.google.com/ads/answer/7395996> or (iv) by deselecting the option for tracking cookies via the Springer Nature cookie preference centre.

Further information about the processing of your personal data is the provider's course

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SAP Marketing Cloud

Google AdWords Remarketing

In this website, we use the remarketing or “Similar audiences” feature of AdWords offered by Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043 USA, hereinafter referred to as “Google”

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- <https://support.google.com/analytics/answer/6004245?hl=de>
- <http://www.google.com/policies/technologies/ads/>

You may object to data collection and storage for the purpose of remarketing at any time - this objection will be effective for the future, but not retroactively - by deactivating interest-based advertising in Google or by deactivating the services on the website of the Network Advertising Initiative. Note: in that case, you may not be able to use all features

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of our website. The data collected this way will be encrypted and transferred to Facebook and is anonymous for us, e.g., we cannot see personal data of individual users.

We may also utilise other tools, such as Permutive, to build anonymous behavioural segments, and pass the status of membership of these segment(s) into the Facebook cookie. This will enable membership of these segments to be used when building Custom Audiences within Facebook.

For further information on the privacy policy of Facebook and Custom Audience please

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You can unsubscribe by opting out via the link provided in each newsletter. You can also email onlineservice@springernature.com, citing the name of the product or service, and request that your email address be removed.

VIII. Analytics

OneTrust

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For more information about privacy policies and Onetrust, please refer to the Onetrust website: <https://Onetrust.com/privacy-notice/>.

For statistical analyses we use web analytics services such as Google Analytics, collect information about the use of this site.

General tracking information

The tools collect information such as:

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for the purposes described above; this data will not be shared outside of SpringerNature. You can stop this tracking using our Privacy Preference Centre. The legal basis for this processing via Google Analytics is Art. 6 sec. 1 sent. 1 lit.f GDPR and represents our legitimate interest to analyse our website's traffic to improve the user's experience and to optimise the website in general.

We do not share information on your web behaviour with any 3rd party providers without your explicit consent. Consent is provided by clicking the appropriate button on the web banner that appears on your first visit to the website. You can update or

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policy here.

The legal basis for the data transfer is Art. 28 GDPR in conjunction with the data processing agreement.

You may refuse the use of cookies by selecting the appropriate settings on your browser or by amending your preferences. In addition to that you may prevent the collection of the information generated by the cookie about your use of the website (including you IP address) and the processing of this data by Google if you download and install the

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Transfer of personal data takes place whether you have an account with the provider or not.

Please note that we neither have the control of the extent of personal data that is collected by the respective plug-in provider nor do we know the processing's purpose or the period your personal data will be retained.

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he or she visits the website, Facebook may be able to connect the visit on the website to the user's Facebook account. If the user interacts with the plugin – for example if he or she presses the like button or comments on something – the user's browser transmits this information to Facebook. Facebook stores this information. If a user is not a member of Facebook, Facebook may collect and store the user's IP-address. Facebook states that it only collects anonymized IP-addresses in Germany.

The reason for and scope of the data acquisition and information about the way in which the data is processed and used by Facebook, as well as the user's rights in this respect

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address and the website's URL when the button is loaded from Twitter's servers.

However, this data is only be used for loading and displaying the Twitter-button.

Further information can be found in Twitter's privacy statement under:

<https://twitter.com/privacy>.

Should you have any questions regarding our privacy policy, please contact us via the email address dataprotection@springernature.com.

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agreements (Art. 28 GDPR). Therefore, our contractors will only use your personal data to the extent necessary to perform their functions and will be contractually bound to process your personal data only on our behalf and in compliance with our requests.

In the event that we undergo re-organisation or are sold to a third party, any personal data we hold about you may be transferred to that re-organised entity or third party in compliance with applicable law.

We may disclose your personal data if legally entitled or required to do so (for example if

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processing conducted. We neither have the control of the extent to which personal data is processed by the respective society nor do we control the processing purpose or the period your personal data will be retained. It is also possible that the above-mentioned societies may disclose your personal data to their business partners, third parties or authorities. For further information on the data processing under the society's control please refer to the respective society's privacy notice.

Your personal data will be transferred to and processed inside and outside of the EEA. For further information on cross border data transfer, please refer to section on Cross

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We may disclose anonymous aggregate statistics about users of the website in order to describe our services to prospective partners, advertisers and other reputable third parties and for other lawful purposes, but these statistics will include no personal data. We also supply standardized usage reports to institutional customers, also known as Counter Reports. For more information on Counter Reports - <https://www.projectcounter.org/code-of-practice-sections/usage-reports/>

In addition to the above mentioned anonymous reports and by special arrangement:

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In addition, we ourselves have a legitimate interest in enabling the Licensee to use the usage data to conduct respective evaluation and assessments is also in our interest as it makes our service more attractive for the Licensees.

If the Licensee resides outside the EEA, the transfer is safeguarded by a Commission's adequacy decision such as the EU Standard Contractual Clauses. You can find further information about the aforementioned safeguards by contacting

online@scie.com

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and Terms of Service for further information as to how Research Square will process your data.

XI. Cross border data transfers

Within the scope of our information sharing activities set out above, your personal data may be transferred to other countries (including countries outside the EEA) which may have different data protection standards from your country of residence. Please note that data processed in a foreign country may be subject to foreign laws and accessible to

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website whilst it is in transit over the internet and any such submission is at your own risk.

XIII. Data retention

We strive to keep our processing activities with respect to your personal data as limited as possible. In the absence of specific retention periods set out in this policy, your personal data will be retained only for as long as we need it to fulfill the purpose for which we have collected it and, if applicable, as long as required by statutory retention

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4. object, on grounds relating to your particular situation, that your personal data shall be subject to a processing. In this case, please provide us with information about your particular situation. After the assessment of the facts presented by you we will either stop processing your personal data or present you our compelling legitimate grounds for an ongoing processing;

5. take legal actions in relation to any potential breach of your rights regarding the processing of your personal data, as well as to lodge complaints before the competent

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XV. Minors

Our website is not directed at children and we do not knowingly collect any personal data from children under 16 years old through our website. However, if the parent or the guardian of a child under 16 years old believes that the child has provided us with personal data, the parent or guardian of that child should contact us at dataprotection@springernature.com to request the deletion of this data from our files.

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EXHIBIT 54

\$15 EXPEDITED SHIPPING + FREE RETURNS [SEE DETAILS](#)

Customer Service

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- [PAYMENT OPTIONS](#)
- [AFTERPAY FAQ](#)
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Privacy Policy

PUMA (collectively, "PUMA" or "we", "us", or "our") respects the privacy of all of our visitors and pledges to provide you with the best online experience possible. This PUMA Privacy Policy ("Privacy Policy") describes what information we collect from you, how we may use it and the steps we take to ensure that it is protected. This Privacy Policy also applies to information we may collect from you through any PUMA retail store, PUMA sponsored events, and through official surveys and sweepstakes entry forms, or in any other instance when you contact us. **BY ACCESSING OR USING THIS WEBSITE, MOBILE APPLICATION OR OTHER PUMA PRODUCT OR SERVICE ON ANY COMPUTER, MOBILE PHONE, TABLET, CONSOLE OR OTHER DEVICE (COLLECTIVELY, "DEVICE"), YOU CONSENT TO OUR PRIVACY POLICY.** PUMA may modify this Privacy Policy at any time effective upon its posting. Your continued use of our products and services constitutes your acceptance to this Privacy Policy and any updates. This Privacy Policy is incorporated into, and is subject to, the [Terms of Use](#).

INFORMATION WE COLLECT

We collect information you give us or permit us to access. Information may include, but is not limited to, your name, image, birth date, email and physical address, IP address, telephone number or mobile phone identifier, gender, contact lists, social media information, location (including GPS) information, activity and performance information, and when necessary, credit card information. We also collect information about gift and e-giftcard recipients provided by the giver.

We may also collect information regarding your interaction with, and use of, our products and services. Information we may collect includes, but is not limited to, your telephone number, Device identifier and hardware information, IP address, browser type and language, cookie information, system type, whether you have enabling software to access certain features, access times, referring website URLs, information about your purchases and other information about your interactions with us.

We may combine information you give us with other information from PUMA sources, transactions and communications. This may include, but is not limited to, information from PUMA retail stores, direct mail, catalogs, events, products and applications, or other PUMA interactions. We may also combine that information with data that is publicly available and data from third parties.

HOW WE COLLECT INFORMATION

We may use cookies and other collection tools, such as clickstream data and web beacons, to gather information about your visits on our website so we can enhance your experience. This information may be combined with information you have provided to us, which will enable us to analyze and better customize your visits.

What are Cookies? Cookies are data files stored within your browser when you interact with a website. These data files allow the website to recall important information about your visit, help better understand your preferences and improve your overall experience.

You may limit or turn off cookies and other collection tools by adjusting your browser settings. If you turn off certain collection tools, you may not have access to many features that make your experience more efficient and some of our services and features may not function properly. We recommend that you leave cookies “turned on” so we can offer you a better shopping experience on our sites.

We also work with other companies who use tracking technologies to serve ads on our behalf across the Internet. For example, we use Google Analytics and Adobe SiteCatalyst on the website to analyze how users use the website and to provide advertisements to you on other websites. For more information about how to opt-out of having your information used by Google Analytics, visit <https://tools.google.com/dlpage/gaoptout>. For more information about how to opt-out of having

your information used by Adobe SiteCatalyst, visit <http://www.adobe.com/privacy/opt-out.html>. These companies may not recognize or respond to browser "Do Not Track" signals. For more information about third party cookies, including information about how to opt-out of these technologies, visit www.aboutads.info/choices (US) or <http://youradchoices.ca/choices> (Canada). We do not operate or control these sites, and are not responsible for the opt-out choices available there.

USE OF INFORMATION

We may use your information to provide products and services to you including:

- Enhancing, personalizing and customizing user experiences, such as placing an order and other activities
- Communicating with you about your purchase, account information or customer service
- Analyzing user behavior and trends to better understand our customers and gain consumer insights
- Providing and conducting marketing and promotions
- Communicating with you about our products, services and events, and for other promotional purposes
- Administering contests, promotions, events, surveys or other features
- Displaying relevant marketing to you and other information about PUMA

We only send you communications if you have opted-in to receive PUMA e-mails and/or SMS messages. If you no longer want to receive emails/SMS messages or want to delete/update your personal data, please visit the [My Account](#) page.

PROTECTION OF INFORMATION

PUMA uses technical and organizational measures designed to protect your information against unauthorized access, theft, and loss. While PUMA strives to protect its user's personal information and privacy, we cannot guarantee 100% the security or confidentiality of any information that you provide to us or that is otherwise disclosed by you online. We recommend that you take additional measures to protect yourself and your information, such as installing anti-virus software, closing browsers after use, keeping confidential your log-in credentials and passwords. We will retain your information for as long as your account is active or as needed to provide you services. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

CHILDRENS' PRIVACY

We do not knowingly collect or solicit information online from children under 13 and we do not specifically target children under 13 in our marketing materials or other advertising.

SHARING INFORMATION

We may provide your information to our affiliates and subsidiaries, as well as to our partners, vendors, distributors, and suppliers, some of which may be outside the United States. We may transfer your information to certain service providers in order to conduct our business operations. For example, service providers may handle web hosting, credit card processing, shipping, data management, email distribution, market research, information analysis, and promotions management. We may also share your information as is necessary to complete a transaction or provide a product, service, or feature that you have requested. These service providers will only use your information for the purpose of carrying out the services provided to PUMA and are required to keep all such information confidential. We may disclose information upon governmental request, in response to a court order, when required by law, to enforce our policies, or to protect our or others' rights, property or safety. We may share information to prevent illegal uses of PUMA's products and services or violations of the [Terms of Use](#), or to defend ourselves against third-party claims. We may also share information with companies assisting in fraud protection or investigation.

Your information may be transferred to a third party as a part of our business assets in a sale of a part or all of PUMA. If this should happen, notice will be provided via the website or other appropriate form of communication.

You may also choose to share certain information. When you join or use certain services, you agree to publicly share a basic amount of information, which may include your username, city location, and profile picture. In order to participate in certain features, you may have to adjust your privacy settings and share additional information. You may also choose to share your activity on other platforms, such as Instagram, Facebook and Twitter. Please read the privacy policies of those platforms, because your PUMA activity published on those platforms will no longer be governed by this Privacy Policy.

DATA TRANSFER

Our digital operations are conducted, in whole or in part, in the United States. Regardless of where you live, you consent to have your personal data transferred, processed and stored in the United States, and allow PUMA to use and collect your personal information in accordance with this Privacy Policy.

LINKS TO THIRD PARTIES

For your convenience and to improve the usage of our website we insert links to third party websites, for which this Privacy Policy does not apply. This includes links from partners that may use PUMA's logo as part of a co-branding agreement or sell PUMA products. These third party websites may have their own separate privacy policies and PUMA is not responsible or liable for

the content and activities of third parties. Any use of third party websites is entirely at your own risk. Please note that third party sites may use cookies, collect data or solicit personal information. We encourage you to read the privacy policies of each website that you visit.

YOUR RIGHTS

You may be entitled, in accordance with applicable law, to object to or request the restriction of processing of your personal data, and to request access to, deletion and portability of your own personal information by contacting us as described in the "Contact Us" section. We may require you to prove your identity with approved identification if you request this information.

OPT-OUT, DELETE OR MODIFY INFORMATION

You may cancel your account, or opt-out of receiving e-mail messages from PUMA at any time. You can also modify or delete your account profile within certain PUMA services through your account.

To unsubscribe and stop receiving communications from PUMA, you can change your account settings or follow the instructions enclosed within the email, text message, notification or other promotional message or communication. If you have unsubscribed from any PUMA communications, due to production schedules, you may receive communications already in production. PUMA may keep information and content in our backup files and archives.

CONTACT US

If you have any questions or comments relating to our website and/or the Privacy Policy, please email us at customerservice.us@puma.com or write to us:

PUMA

Attn: Privacy Officer
455 Grand Union Boulevard
Somerville MA, USA 02145

You may also contact us via telephone at [1-888-565-PUMA \(7862\)](tel:1-888-565-PUMA)

TERMS OF USE

Your use of our products and services, and any disputes arising from them, is subject to this Privacy Policy as well as the [Terms of Use](#). Please visit our [Terms of Use](#), which explains other terms governing the use of this website, as well as our products and services.

Please visit the [Pixlee Terms of Use](#) to view License Terms for use of Instagram Content on our website.

CALIFORNIA PRIVACY RIGHTS

California law provides consumers (California residents) with specific rights regarding their personal information. This section describes your rights under California law and explains how to exercise those rights.

Access to Specific Information and Data Portability Rights

You have the right to request that we disclose certain information to you about our collection and use of your personal information over the previous 12 months. Once we receive and confirm your verifiable consumer request, we will disclose to you:

- The categories of personal information we collected about you.
- The categories of sources for the personal information we collected about you.
- Our business or commercial purpose for collecting or selling that personal information.
- The categories of third parties with whom we share that personal information.
- The specific pieces of personal information we collected about you (also called a data portability request).

We do not sell your personal information to third parties.

Deletion Request Rights

You have the right to request that we delete any of your personal information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, we will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by either:

- Calling us at: [1-888-565-PUMA \(7862\)](tel:1-888-565-PUMA)
- Emailing us at: usprivacy@puma.com, or
- Writing to us at:

PUMA

Attn: Privacy Officer
455 Grand Union Boulevard
Somerville MA, USA 02145

You may only make a verifiable consumer request for access or data portability once within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information.
- Describe your request with enough detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity and confirm that the personal information relates to you.

We will respond to a verifiable consumer request within forty-five (45) days of its receipt.

Revised December, 2019

Email Sign Up



Support



About PUMA



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Privacy Policy

Thank you for using our Services. You are currently viewing the privacy policy for the country site that you visited. We are a global website so a different policy may be applicable to you depending on where you access our Services. To view all privacy policies, go to our [Privacy Policy Directory](#). To learn more about The Weather Channel's role in providing our weather information to other companies who present that weather information to users in their own websites or applications, go to our [Weather Services Provider Privacy Explainer](#).

This Privacy Policy is effective as of April 27, 2021. The previous version of this Privacy Policy is available [here](#).

TWC Product and Technology, LLC, doing business as The Weather Company, an IBM business, (sometimes, "we" or "us") is committed to protecting your privacy. This Privacy Policy is important, and we encourage you to carefully read it.

This Privacy Policy discloses how we collect, use, and share data that we gather related to your interaction with this website (the "Site") and on our software applications, mobile applications, and other websites and services that reference or link to this Privacy Policy (together, the "Services"). The Services do not include websites, mobile applications, or other services that link to another privacy policy. This Privacy Policy also describes the choices you have regarding our use of your data and your ability to access, correct, or delete your data. By using the Services, you accept the terms of this Privacy Policy and agree to the data

collection, use, and sharing described in this policy. We may seek your consent by other means such as by asking you to click on a button or to change a setting. Where we do so, we will also offer you a way to revoke your consent.

1. [How and Why We Collect and Use Personal Data and Other Information](#)
2. [Data Collection Technologies and Consumer Choice](#)
3. [How We Share or Disclose Your Information with Vendors](#)
4. [Other Limitations on Privacy](#)
5. [Retention Period](#)
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12. [California Consumer Privacy Act \(CCPA\) Notice](#)
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14. [Lei Geral de Proteção de Dados Pessoais \(LGPD\) Notice](#)

1. **How and Why We Collect and Use Personal Data and Other Information**

In order to operate the Services and to maximize your experience, we may collect and use information, some of which may be considered personal data. Please note that you may choose not to provide us with certain information; by doing so, however, you may not be able to receive the full range of Services from us. We collect information in the following ways:

- A. *User Account Registration and Subscription.* When you choose to register a user account, you will be required to provide your e-mail address. If you choose to purchase a subscription offering, you may be required to provide information to complete the purchase, such as credit card information.
- B. *Information Provided By You.* You may choose to provide us with information, some of which may be personal data, when you interact

with the Services in the following ways:

- Send us an e-mail message or complete an inquiry form — for example, you might e-mail us with a question and we will use your e-mail address to respond;
 - Submit a comment, leave feedback, or send us a photo or video — for example, you might submit a photo of a weather event that we may post on the Services so others can enjoy it;
- Special Note about Content Submissions. The Services may from time to time offer areas where you and other users can post or otherwise submit information, photos, videos, graphics, creative suggestions, ideas, notes, concepts, information, ratings or other materials on or to the Services (collectively, "Submissions"). Any geolocation information, tags, or other metadata in Submissions may become publicly available. Any information, including personal data, in your Submissions can be read, collected, or used by others. We cannot control and are not responsible for how others may use the information contained in your Submissions;
- Engage with poll cards — we may receive the information you provide when you submit responses to the poll cards that are placed on the Services; and we may use that information to personalize the Services you visit;
 - Engage with interactive advertising — we may receive the information you provide when you submit oral or written questions or comments via the interactive ads that are placed on the Services or on third-party platforms; and we may share this information with our advertisers where required by applicable law; and
 - Customize the Services — for example, you might set a "home" location so that every time you visit the Services, you are automatically displayed the weather for that home location.

C. *Automatic Collection.* We also collect certain information through automated means.

Some of the information we collect through automated means may,

whether alone or combined with other data, be personal data. For example, we automatically collect:

- Information about your device and device capabilities
- Information about your device operating system
- Information about your browser
- Information about how you use the Services
- Your activities on the Services
- IP address
- Advertising identifiers
- Mobile or Internet Carrier
- Browser type
- Browser identifier
- Referring URL

This information helps us to understand, analyze, and measure how users use the Services; manage Services' operations; deliver and measure the effectiveness of advertisements; help diagnose problems; recognize repeat visitors; and facilitate your access to and use of the Services.

D. *Location Information.* We, our service providers, and Advertising and Analytics Vendors (see [Section 2](#) for more information) may collect location information through the Services. We may share the location information we collect with third parties as addressed in [Section 3](#).

We collect location information to provide you with location-based services (such as severe weather alerts, air quality, and other weather information through our mobile applications), provide advertisements that are relevant to your geographic location, and conduct analytics to improve the Services. The type of location information we collect depends on your settings in the device you use to access the Services.

If you are accessing the Services through the Site, we may detect your general location so that we can automatically show you the weather for

your general area. Depending on browser type and configuration, your browser may inform you that the Site would like to collect your specific location and request your permission to do so. If you do not allow it, or your browser does not permit it, only your general location information is then collected and may be stored locally on your device. You may always manually enter a location (such as city, postal code, and country). On mobile web, if you opt out of sharing your current location, you may continue to receive content that is relevant for the city you have entered in the search bar (i.e., contextual city name).

If you access the Services on your mobile device, we may directly collect precise geographic location information and sensor data via Global Positioning System (GPS), cellular network information, and other location-based features. We typically receive the latitude and longitude of your mobile device, as well as date and time and sensor data such as altimeter. Factors such as device and operating system determine the accuracy of this latitude and longitude and how closely it corresponds with your device's location.

If you allow any of The Weather Channel mobile applications to directly collect location information while the mobile applications are running in the background, you will enable continuous location collection. This may allow us to send you severe weather alerts for the area in which you might be travelling. We also use this location information to conduct analytics, provide relevant advertisements, and improve the Services.

You can turn off direct location collection (or, on some operating systems, continuous direct location collection) through your device settings or by deleting the mobile application from your device. If you turn off location-based services, you may continue to receive alerts for locations that you have selected within the Services.

E. *Alerts and Notifications.* Certain Services offer you the ability to receive push notifications for weather-related or product updates, news stories,

and special offers. To provide these Services, we may need to collect your device information and/or mobile carrier information, in addition to the postcode or geographic area to which the alert, update, or notification pertains. Where available with our Services, Hands-Free Audio Alerts allow you to receive voice alerts for weather-related updates while you likely are driving. In order to provide you with hands-free alerts, we will need to collect your device's motion data solely to detect when you likely are in a moving vehicle. You can choose to stop sharing your device's motion data at any time, but hands-free alerts are only available when your device's motion data is being shared.

If you no longer wish to receive these types of notifications, you may opt out by turning them off within the settings of your mobile device or the particular Service for which you registered, or by deleting the application.

F. Information from Analytics and Advertising Vendors and Advertisers.

Where legally permissible, we may obtain information about you or your use of the Services from Analytics and Advertising Vendors (See [Section 2](#)) and advertisers. We may combine the information you provide us and information we automatically collect with information from public or third-party sources. If we combine or associate information from other sources with personal data that we collect through the Services, we will treat the combined information as personal data in accordance with this Privacy Policy.

2. Data Collection Technologies and Consumer Choice

We and third parties acting on our behalf, or on behalf of advertisers or vendors, use various technologies that help us to manage the operations of our Services and track usage behavior. These technologies enable us to tailor information and advertisements to make your visits more meaningful and to offer accurate forecast data to everyone, everywhere, free of charge. We follow the self-regulatory principles of the Digital Advertising Alliance

("DAA"), the Digital Advertising Alliance of Canada ("DAAC"), and the European Interactive Digital Advertising Alliance ("EDAA").

We work with a variety of advertising services that use various technologies to collect data about your use of the Services (such as content viewed or ads clicked on) on our behalf or on behalf of advertisers (Advertising Vendors) in order to serve relevant ads. Advertising Vendors use various technologies on the Services to (among other purposes): track how the Services are used, what pages or content users interact with, and what sites or mobile applications users interact with after they leave the Services; link users' devices (i.e., cross-device or cross-platform tracking); and serve more relevant ads on and within the Services or other websites or mobile applications that you visit. Advertising Vendors may combine this data with other information they may have obtained from you or from other sources that is unrelated to your use of the Services in order to target and measure the effectiveness of advertisements. More information about this type of advertising that is tailored to your likely interests based on your activities across other apps or websites ("personalized advertising") is available from the [Network Advertising Initiative's website](#).

We also work with certain entities that use data collection technologies to track, analyze, and report data about the use of the Services and to analyze and optimize the performance of the Services ("Analytics Vendors").

Information collected via the data collection technologies described in this section may be linked to other information about you such as location information and may be considered personal data. We and our vendors may use the technologies described in this section, alone or in combination, to understand user behavior, target and measure the effectiveness of advertisements, help diagnose problems, recognize repeat visitors, and facilitate your access to and use of the Services.

A. Use of Cookies, Web Beacons, and Information Saved by Other Technologies

Third parties may use cookies and other technologies through use of our Services to support or deliver personalized advertising on third-party websites and online services. The data collection technologies we and third parties use on web include but are not limited to:

1. **Cookies:** Cookies are text files containing small amounts of information that are downloaded to your computer or mobile device when you visit a website and stored within your browser. Cookies are then sent back to the originating website on each subsequent visit to that website or to another website that recognizes those cookies. Some cookies on our Services collect IP and MAC addresses, which may be considered personal data in some jurisdictions. Cookies are useful because they allow a website to recognize a user's device. For more information, please visit this ["All About Cookies"](#) guide. The cookies used on this website can be categorized in the following ways:

Category 1: Strictly Necessary Cookies

These cookies are essential in order to enable you to use the Services and its features.

Category 2: Performance Cookies

These cookies collect information about how you use the Services (such as which pages you go to most often and if you receive error messages). In general, these cookies do not collect information that directly identifies you. However, some such cookies may collect GeoIP or other identifiers that may be considered personal data in some jurisdictions.

Category 3: Functionality Cookies

These cookies allow Services to remember choices you make (such as language or the region you are in) and provide enhanced features (such as local weather reports or traffic news). These cookies can also be used to remember changes

you have made to customize the Services.

Category 4: Targeting Cookies

These cookies collect several pieces of information about your browsing habits. They are often placed by advertising networks rather than website operators. They collect information about your interactions over time with the Services as well as with third-party websites and online services. This information may be shared with other organizations such as advertisers in order to provide you with advertisements that may be more relevant to you based on your inferred interests.

Category 5: Social Network Cookies

These cookies are generally generated by content embeds. They allow social network users to share content and use other features such as publishing comments.

2. **Web beacons:** Certain pages on the Services contain web beacons, also known as web bugs, pixel tags or clear GIFs. Web beacons allow third parties to obtain information, such as the IP address of the computer that accessed the page on which the web beacon appears, the URL of the page on which the web beacon appears, the time the page containing the web beacon was viewed, the type of browser used to view the page, and the information in cookies sent by the third party.
3. **Web Storage:** We use local storage, to enhance user experience by, for example, storing your user preferences and settings (e.g., volume/mute) in connection with animated content on the Services. Local storage is similar to browser cookies but can store data more complex than simple text. By itself, local storage cannot do anything to or with the data stored on your device.

B. Use of Advertising Identifiers

We and our Advertising Vendors may collect information about usage of mobile applications via advertising identifiers to support or deliver personalized advertising. An advertising identifier is a randomly-generated alphanumeric code associated with a user's device. Advertising identifiers provide advertisers a way to identify a user's device without using a permanent device identifier, such as serial number.

C. Your Choices Around Cookies, Advertising Identifiers, and Other Technologies Used by Vendors

You have the ability to control how your data is used, including for personalized advertising, in the following ways:

- *Vendors:* This Privacy Policy does not cover the practices of vendors outside of our Services and we do not control vendors' technologies. We provide links to more information about vendors' privacy practices and any available opt outs [here](#).
- *Browser settings:* Your web browser may allow you to manage your cookies and local storage to control access to data about your online activity. We encourage you to check your browser's "Help" feature to learn how to block, disable, and delete cookies. Please note that for technical reasons, if you delete or block certain cookies, some features of the site may be unavailable or may not function as intended. For more information, please visit this "[All About Cookies](#)" [guide](#) on managing cookies.
- *Device settings:* The Android and iOS versions 6 to 13 mobile device operating systems allow you to control how your device's advertising identifier is used to support or deliver personalized advertising. The iOS versions 14 and above mobile device operating systems allow you to control use of the advertising identifier and "tracking;" learn about tracking from Apple at Settings > Privacy > Tracking > Learn More

- Android device settings (version 2.3 and above): "Opt out of Ads Personalization" by following the instructions provided by Google [here](#)
- iOS device settings (versions 6 to 13): "Limit Ad Tracking" at Settings > Privacy > Advertising > Limit Ad Tracking
- iOS device settings (versions 14 and above): "Tracking" permissions at Settings > Privacy > Tracking

The opt outs described above are device- or browser-specific and may not be available for all devices. So, if you opt out on your mobile device, you may continue to receive personalized advertising on your desktop computer or other devices. If you choose to opt out, you will still see ads, but the ads will not be based on your activities across other apps and websites you use.

You can also opt out of future information collection from the Services by adjusting the settings on your device, ceasing use of the Service on web, or un-installing the relevant mobile application.

Industry Group Opt-Outs: Some industry organizations offer centralized tools where you can opt out of the use of your data by multiple vendors at once. For more information about Digital Advertising Alliance (DAA) and Network Advertising Initiative (NAI) opt-out tools to assist you in managing choices for participating companies that use cookies, visit the following sites:

- The DAA's [opt-out page](#)
- The Digital Advertising Alliance of Canada's (DAAC's) [opt-out page](#)
- One of the EDAA's country-specific [opt-out pages](#)
- The NAI's [opt-out page](#).

Also, the DAA offers AppChoices, a separate choice tool for users to exercise control over the collection and use of data through mobile applications for personalized advertising and other related uses. To

exercise choice for participating companies, you can install the DAA's AppChoices application on your mobile device. Visit [here](#) for more information on DAA's AppChoices tool.

Information collected via the data collection technologies described in this section may be linked to other information about you such as location information and may be considered personal data. We and vendors may use the technologies described in this section, alone or in combination, to understand user behavior, target and measure the effectiveness of advertisements, help diagnose problems, recognize repeat visitors, and facilitate your access to and use of the Services.

3. **How We Share or Disclose Your Information with Vendors**

We may also share any information collected from the Services including aggregated or statistical data that we may generate from such information in the following ways:

- A. *Service Providers.* When your data is collected on the Services, it may be shared with select Analytics Vendors and Advertising Vendors that assist us with marketing or advertising campaigns for our brands, and providers of services that assist us with our business operations, with the provision of the Services, or in delivering you the features and functionality that you have requested ("Technology Vendors"). These service providers include companies that support our advertising programs for our brands, provide data storage, support customer service, assist with audience research and product development, facilitate or deliver materials to you, and provide map content for the Services. Our service providers are authorized to use the data that we provide to them only to carry out and improve the service they are providing for us. All such service providers are contractually bound by us to keep the data confidential.
- B. *Companies Offering Promotions, Products, or Services.* At times, we will provide you with the opportunity to choose to receive promotions,

products, or services from third-party sponsors. We also may provide you with the opportunity to receive products and services directly from specifically-identified third parties through the Services. In these instances, you must explicitly consent to receive each offer. When you choose to receive offers from specific third parties, your information is shared with them to enable them to provide you with the offer you have requested. We are not responsible for the information collection practices of these third parties, and all information provided is governed by their privacy policies. You should review the privacy policies of these third parties before supplying personal data to them.

C. *Other Websites, Other Services, Plug-Ins and Links.* Like many websites on the Internet and other Internet-based services, the Services may link to webpages located on websites or services maintained by various other entities. In some cases, you may navigate to pages of other websites that are framed with elements of the Services such as in the header or footer or an interactive ad. In that case, the URL or prominent text on the other website will identify the site you are visiting. In other cases, such as advertisements, you will be connecting to another site or service when you click on or otherwise activate those opportunities, including click-to-call, click-to-text, and click-to-e-mail opportunities. These other sites and services are not bound by our Privacy Policy, and we are not responsible for their information collection practices. The privacy policies of other organizations may differ from ours, for example, with respect to the level of security, use of cookies, and collection, use and disclosure of personal data. Some of the Services allow users to interact with other websites or services. You may remain logged into those other sites and services until you log off. Your use of those other sites and services is subject to the privacy policies of those sites and services, and not this Privacy Policy.

Some of the Services use third-party operating systems, platforms, communication services, devices, and software elements (such as mobile device operating systems, wireless services, mobile phone, and tablet

devices), and some of the Services are provided by third-party distributors, device makers, device operators, platform operators, and communication services. We do not control these third-party entities, products, and services, and they may collect, use, process, transmit, and disclose your information. As we do not control these third-parties' data handling practices, we recommend that you review their privacy policies, terms of use, and license agreements (if any).

- D. *Advertising Vendors.* We may share information we collect with Advertising Vendors, including those used by our advertisers, so that they can: (i) deliver and/or support the delivery of relevant content or ads on our websites or apps, advertisers' websites or apps, or other third-party websites or apps; (ii) analyze and report on content or ads users see or interact with, and; (iii) improve their services. Advertising Vendors may also collect information via the technologies discussed in [Section 2](#) above or via interactive ads. The information may include data about how users interact with the Services, information users provide via interactive ads, the content and ads users have viewed, users' activities on other websites and online services, and physical places users have visited.
- E. *Purchase or Sale of Businesses.* We continually look for ways to improve our business, including purchasing a business or selling all or part of our business. If we buy, merge, reorganize or sell any business or assets, personal data and non-personal information will likely be disclosed or transferred as part of the transaction.
- F. *Aggregated Information.* As part of the Services, we may aggregate or otherwise alter information (including location information) that is collected from the Services so that it does not identify your device and cannot reasonably be linked to your device. We may use or share such information with third parties for research or commercial purposes (e.g., analyzing trends based on foot traffic). As explained in [Section 1.D.](#) above, you can turn off the collection of location data through your

device settings.

4. Other Limitations on Privacy

We, our affiliates, or our service providers may disclose your data without your permission (i) pursuant to judicial or other government subpoenas, warrants, or orders or otherwise to comply with law; (ii) where we believe an individual's rights, property, or safety or security is at risk; (iii) if we find that your actions violate our [Terms of Use](#) or any of our other legal rights; or (iv) where otherwise required or permitted by applicable law (which may include a lawful access request by U.S. or foreign courts, governments, or law enforcement agencies).

5. Retention Period

We will retain your information for as long as needed to provide and develop the Services. We will also retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. We may retain information that no longer identifies you indefinitely.

6. Data Rights

You can request to access, obtain a portable copy of, correct, or delete data related to your stored preferences and your use of the Services. Because we do not require users to register in order to use our Services, if you use more than one of our Services, or if you use our Services on more than one device or web browser, you will need to manage your data for each of the Services separately. If you have registered a user account with weather.com and are logged in to your account at the time of the request, we will be able to retrieve data related to your use of the Services while you were logged in. To manage your Data Rights on weather.com, click [here](#). To manage your Data Rights on the iOS or Android app, navigate to Data Rights in the app menu.

At this time, we cannot delete data directly associated with your account without deleting your account, as the data is necessary to keep your

subscription and to provide you with the requested Services. If you wish to correct information related to your account or delete your account and all data associated with it, please click [here](#).

In the event that you consider our processing of data related your use of the Services not to be compliant with the applicable data protection laws, you can contact us at privacy@weather.com or lodge a complaint with the relevant data protection authority. If you are a California user, you can contact us at californiaprivacy@weather.com.

7. Minors' Privacy

We are committed to protecting the safety and privacy of young people using the Internet. We do not knowingly collect personal data from children under age 18. We believe that children should get their parents' or guardians' consent before giving out any personal data. If you become aware that we have collected personal data from a child without parental consent, please notify us promptly at privacy@weather.com. If we become aware that a child under age 18 has provided us with personal data without parental consent, we will take steps to remove such personal data.

8. International Transfers

The Services are hosted on servers inside and outside the United States. If you are located in the European Union or elsewhere outside of the United States, information that we collect (including through cookies) will be processed and stored in the United States, a jurisdiction in which the data protection and privacy laws may not offer the same level of protection as those in the country where you reside or are a citizen. Subject to applicable law, by using our Services and providing information to use, you consent to the transfer to and processing of information in the United States and other jurisdictions. Where necessary under applicable law, we may employ appropriate cross-border transfer methods governing personal data.

9. Our Commitment to Security

We have put in place physical, electronic, and managerial procedures intended to protect your data. Of course, we cannot guarantee that your communications with the Services will never be unlawfully intercepted or that your data will never be unlawfully accessed by third parties. Any transmission of information is at your own risk.

10. Changes to the Privacy Policy

We reserve the right to change our Privacy Policy as business needs require. If we decide to change our Privacy Policy, we will post those changes here prior to the time they take effect. If we make material changes to the way we use personal data, we will notify affected users through the Services.

11. How to Contact Us

If you have a question related to this Privacy Policy, please contact us at privacy@weather.com or if you are a California user, at californiaprivacy@weather.com, or at:

The Weather Company, an IBM business
Attn: Privacy Office
1001 Summit Boulevard, Floor 20
Brookhaven, GA, USA 30319

12. California Consumer Privacy Act (CCPA) Notice

The California Consumer Privacy Act of 2018 ("CCPA") requires certain disclosures that are covered above in our Privacy Policy. This section provides an overview of the information required by CCPA and how to exercise your CCPA rights.

A. Disclosures about the use of your Personal Information

As described in [Section 1](#) of our Privacy Policy, we collect and use certain information in order to operate the Services and to maximize your experience. The list below includes the categories of personal

information that we will collect about you if you use our Services. It also reflects the categories of personal information that we have collected in the past twelve months:

- Information related to your user account registration and subscription;
- Information provided by you;
- Information automatically collected from your device, in accordance with consumer choice;
- Location information; and
- Information from Analytics and Advertising Vendors.

[Section 3](#) of our Privacy Policy describes how we share or disclose your information with vendors.

In the past twelve months, we have disclosed the following categories of Personal Information as defined by the CCPA for our business purposes to our [Advertising, Analytics and Technology Vendors](#):

- Identifiers such as an online identifier or IP address;
- Commercial information relating to your use of the Services;
- Internet or other electronic network activity information relating to your use of the Services; and
- Geolocation data.

In the past twelve months, we have disclosed the following category of Personal Information as defined by the CCPA for our business purposes to our [Advertising and Analytics Vendors](#):

- Inferences.

If you have registered an account with us and purchased a subscription offering, in the past twelve months, we have disclosed the following categories of Personal Information as defined by the CCPA for our business purposes to our [Technology Vendors](#).

- Identifiers such as a name or email address; and
- Other personal information described in Cal. Civ. Code Section

1798.80(e), such as credit card information.

The CCPA defines the terms “sell” and “sale” broadly to include the sharing of Personal Information with third parties for something of value, even if no money is exchanged. We do not sell users’ Personal Information as the term “sell” is commonly understood. However, we do allow Advertising Vendors to use your Personal Information for certain purposes other than providing and improving advertising services for our apps and websites (described in [Section 3.D](#) of our Privacy Policy), which is considered a sale under CCPA. This is the only way that we sell Personal Information under the CCPA, and we do not engage in any other sales of Personal Information under the CCPA.

In the past twelve months, we have sold the following categories of Personal Information as defined by the CCPA to our [Advertising Vendors](#):

- Identifiers such as an online identifier or IP address;
- Commercial information relating to your use of the Services;
- Internet or other electronic network activity information relating to your use of the Services;
- Geolocation data; and
- Inferences.

Information on how you can opt out of selling your information with these vendors for purposes beyond the advertising services they provide us is provided below (“Opt out of sale of your Personal Information”). You also can opt out of sharing your information for personalized advertising through the available web- and app-related opt-outs listed above in [Section 2.C](#).

B. Data Rights

Under the CCPA, you have the right to:

- *Know your Personal Information.* You can request information about the Personal Information collected from your use of the Services. You will need to provide your email address so we can return the

requested data to you. Please note that you must make the request from each browser or device where you access the Services, unless you are logged in to your weather.com account at the time of the request.

To request specific pieces of information on weather.com, click [here](#) and select "Request a Portable Copy of Data" from the options.

To request specific pieces of information on the iOS or Android app, navigate to "Data Rights" under "Settings" in the app menu and select "Request a Portable Copy of Data" from the options.

Alternatively, you may mail californiaprivacy@weather.com for further instructions.

Please note that we may take steps to verify your identity before you can make a request to know your Personal Information.

- *Delete your Personal Information.* You can request that we delete the Personal Information that we have collected from your use of the Services. You will need to provide your email address so we can confirm to you that we have fulfilled your request, unless you are logged in to your weather.com account at the time of the request. Please note that you must make the request from each browser or device where you access the Services, unless you are logged in to your weather.com account at the time of the request. We will delete your information unless it is necessary for purposes permitted by CCPA.

To make a deletion request on weather.com, click [here](#) and select "Delete Data" from the options.

To make a deletion request on the iOS or Android app, navigate to "Data Rights" under "Settings" in the app menu and select "Delete Data" from the options.

Alternatively, you may email californiaprivacy@weather.com for further instructions.

- *Opt out of sale of your Personal Information.* You will be opted in by default to the sale of Personal Information. You can opt out of the sale of Personal Information at any time in the following ways. Please note that we do not track users across devices, so you will have to opt out from each device where you access the Services.

Web

- You can access the "Do Not Sell My Personal Information" link in the footer of the website, if you are located in California when you access the Services.
- You can access the "Review my Advertising Settings" link in the footer of the website, if you are not located in California when you access the Services.

App

- You can go to "Privacy Settings" under "Settings" then select "Do Not Sell My Personal Information (Opt Out)" under "California Consumer Privacy Act (CCPA) Right to Opt Out," if you are located in California when you access the Services.
- You can go to "Privacy Settings" under "Settings" then click on the "Do Not Share My Information other than for ads in this app (Opt Out)" under "California Consumer Privacy Act (CCPA) Right to Opt Out," if you are not located in California when you access the Services.

Alternatively, you may also email californiaprivacy@weather.com for further instructions.

- *Non-discrimination.* If you choose to exercise any of these rights, we will not deny goods or services to you or provide different quality of services, unless that difference is reasonably related to the value

provided by your data.

- *Authorized Agent.* You can designate an authorized agent to make a request under the CCPA on your behalf provided that (1) it is a natural person or a business entity registered with the Secretary of State of California; and (2) you have authorized the authorized agent to act on your behalf.

Authorized agents may email californiaprivacy@weather.com for further instructions. To protect your information, please note that we may take steps to verify your identity and we will also ask for a signed permission from you authorizing the authorized agent to submit a request on your behalf.

C. Data Rights Metrics

The California Consumer Privacy Act Regulations ("Regulations") require certain disclosures around the number of requests related to the right to know Personal Information, the right to delete Personal Information, and the right to opt out of sale of Personal Information. This section provides metrics of requests from users located in California made between January 1, 2020 and December 31, 2020.

Number of requests to know:

- Received: 2,414 total requests
- Complied with in whole or in part: 2,278 requests
- Denied (because these requests could not be verified): 136 requests
- Mean response time: 15 days

Number of requests to delete:

- Received: 54,265 total requests
- Complied with in whole or in part: 54,265 requests
- Denied: 0 requests
- Mean response time: 11 days

Number of requests to opt-out:

- Received: 618,164 total requests
- Complied with in whole or in part: 618,164 requests
- Denied: 0 requests
- Mean response time: <1 day

Our U.S. Privacy Policy was last updated April 27, 2021.

13. General Data Protection Regulation (GDPR) Notice

Please note that for the purposes of Regulation (EU) 2016/679 ("GDPR"), the data controller is TWC Product and Technology, LLC, doing business as The Weather Company, an IBM business, which may be contacted at the e-mail or address listed in [Section 11 How to Contact Us](#).

The data controller's legal representative for the European Economic Area (EEA) is IBM International Group B.V., Johan Huizingalaan 765, 1066 VH Amsterdam, The Netherlands; the representative for the United Kingdom is IBM United Kingdom Limited, PO Box 41, North Harbour, Portsmouth, Hampshire, PO6 3AU, United Kingdom. The relevant Data Protection Officer may be contacted at privacy@weather.com. Please be aware that where GDPR applies you have the right to lodge a complaint with the competent data protection authority. The name and contact details of the Data Protection Authorities in the European Union can be found at [here](#).

European Union Minors' Privacy: Where GDPR applies, we do not knowingly collect personal data from children under age 16 (or such lower age permitted under applicable local law not being lower than age 13).

International Transfer: If you are located where GDPR applies, information that we collect (including through cookies) will be processed and stored in the United States. The appropriate cross-border transfer method governing personal data included in such transfers is the EU Standard Contractual Clauses agreement pursuant to EC Decision 2010/87/EU.

Processing Basis: Our processing of your personal data in order to provide you with the Services will typically be based on one of the following processing bases: (i) because you have provided us with your specific, informed, freely-given, and unambiguous consent, (ii) because we need to process it in order to provide you with the Services or a particular feature of the Services; that is, because we cannot readily fulfil your request without performing the relevant processing, or (iii) because the processing is necessary for the purposes of the legitimate interests pursued either by us or by a third party and such legitimate interests are not overridden by your privacy and related rights as an individual. Our legitimate interests include the provision of market-leading weather-related products and services, including the Services.

14. **Lei Geral de Proteção de Dados Pessoais (LGPD) Notice**

The Lei 13.709/ 2018 (Lei Geral de Proteção de Dados Pessoais, "LGPD") requires certain disclosures that already are covered in our Privacy Policy.

In addition, please note that for the purposes of LGPD, the data controller is TWC Product and Technology, LLC, doing business as The Weather Company, an IBM business, which may be contacted at the e-mail or address listed in [Section 11 How to Contact Us](#).

The relevant Data Protection Officer may be contacted at privacy@weather.com.

Data Rights: Under LGPD, you can request to access your personal data, receive confirmation of the existence of processing and be able to request to receive confirmation about the private and public entities with whom the controller shares the data, and obtain a portable copy of your data. These rights will be fulfilled when you choose to Request a Portable Copy of Data. You also have the right to object to the processing when data is processed unlawfully and to request correction, anonymization, blocking and deletion of unnecessary, excessive data or data processed unlawfully related to your stored preferences and your use of the Services. These rights will be fulfilled

when you choose to Delete Data. You can exercise your data rights on weather.com by clicking [here](#) and on the iOS or Android app by navigating to "Data Rights" under "Settings" in the app menu. Please note that you must make any requests from each browser or device where you access the Services.

International Transfers: If you are located where LGPD applies, information that we collect (including through cookies) will be processed and stored in the United States. The appropriate cross-border transfer method governing personal data included in such transfers is the EU Standard Contractual Clauses agreement pursuant to EC Decision 2010/87/EU.

Processing Basis: Our processing of your personal data in order to provide you with the Services will typically be based on one of the following processing bases (pursuant to Article 7 LGPD):

- Because you have provided us with your specific, informed, freely-given, and unambiguous **consent**; or
- Because the processing is necessary for the purposes of the **legitimate interests** pursued either by us or by a third party and such legitimate interests are not overridden by your privacy and related rights as an individual. Our legitimate interests include the provision of market-leading weather-related products and services, including the Services.

Previous Version of this Privacy Policy

Thank you for using our Services. This Privacy Policy went into effect on March 19, 2021.

TWC Product and Technology, LLC, doing business as The Weather Company, an IBM business, (sometimes, "we" or "us") is committed to protecting your privacy. This Privacy Policy is important, and we encourage you to carefully read it.

This Privacy Policy discloses how we collect, use, and share data that we gather related to your interaction with this website (the "Site") and on our software

applications, mobile applications, and other websites and services that reference or link to this Privacy Policy (together, the "Services"). The Services do not include websites, mobile applications, or other services that link to another privacy policy. This Privacy Policy also describes the choices you have regarding our use of your data and your ability to access, correct, or delete your data. By using the Services, you accept the terms of this Privacy Policy and agree to the data collection, use, and sharing described in this policy. We may seek your consent by other means such as by asking you to click on a button or to change a setting. Where we do so, we will also offer you a way to revoke your consent.

1. [How and Why We Collect and Use Personal Data and Other Information](#)
2. [Data Collection Technologies and Consumer Choice](#)
3. [How We Share or Disclose Your Information with Vendors](#)
4. [Other Limitations on Privacy](#)
5. [Retention Period](#)
6. [Data Rights](#)
7. [Minors' Privacy](#)
8. [International Transfers](#)
9. [Our Commitment to Security](#)
10. [Changes to the Privacy Policy](#)
11. [How to Contact Us](#)
12. [California Consumer Privacy Act \(CCPA\) Notice](#)
13. [General Data Protection Regulation \(GDPR\) Notice](#)
14. [Lei Geral de Proteção de Dados Pessoais \(LGPD\) Notice](#)

1. **How and Why We Collect and Use Personal Data and Other Information**

In order to operate the Services and to maximize your experience, we may collect and use information, some of which may be considered personal data. Please note that you may choose not to provide us with certain information; by doing so, however, you may not be able to receive the full range of Services from us. We collect information in the following ways:

A. User Account Registration and Subscription. When you choose to register

a user account, you will be required to provide your e-mail address. If you choose to purchase a subscription offering, you may be required to provide information to complete the purchase, such as credit card information.

B. *Information Provided By You.* You may choose to provide us with information, some of which may be personal data, when you interact with the Services in the following ways:

- Send us an e-mail message or complete an inquiry form — for example, you might e-mail us with a question and we will use your e-mail address to respond;
- Submit a comment, leave feedback, or send us a photo or video — for example, you might submit a photo of a weather event that we may post on the Services so others can enjoy it.

Special Note about Content Submissions. The Services may from time to time offer areas where you and other users can post or otherwise submit information, photos, videos, graphics, creative suggestions, ideas, notes, concepts, information, ratings or other materials on or to the Services (collectively, "Submissions"). Any geolocation information, tags, or other metadata in Submissions may become publicly available. Any information, including personal data, in your Submissions can be read, collected, or used by others. We cannot control and are not responsible for how others may use the information contained in your Submissions;

- Engage with interactive advertising — we may receive the information you provide when you submit oral or written questions or comments via the interactive ads that are placed on the Services or on third-party platforms; and we may share this information with our advertisers where required by applicable law; and
- Customize the Services — for example, you might set a "home" location so that every time you visit the Services, you are automatically displayed the weather for that home location.

C. *Automatic Collection.* We also collect certain information through automated means.

Some of the information we collect through automated means may, whether alone or combined with other data, be personal data. For example, we automatically collect:

- Information about your device and device capabilities
- Information about your device operating system
- Information about your browser
- Information about how you use the Services
- Your activities on the Services
- IP address
- Advertising identifiers
- Mobile or Internet Carrier
- Browser type
- Browser identifier
- Referring URL

This information helps us to understand, analyze, and measure how users use the Services; manage Services' operations; deliver and measure the effectiveness of advertisements; help diagnose problems; recognize repeat visitors; and facilitate your access to and use of the Services.

D. *Location Information.* We, our service providers, and our Ad and Analytics Vendors (see Section 2 for more information) may collect location information through the Services. We may share the location information we collect with third parties as addressed in Section 3.

We collect location information to provide you with location-based services (such as severe weather alerts, air quality, and other weather information through our mobile applications), provide advertisements that are relevant to your geographic location, and conduct analytics to improve the Services. The type of location information we collect

depends on your settings in the device you use to access the Services.

If you are accessing the Services through the Site, we may detect your general location so that we can automatically show you the weather for your general area. Depending on browser type and configuration, your browser may inform you that the Site would like to collect your specific location and request your permission to do so. If you do not allow it, or your browser does not permit it, only your general location information is then collected and may be stored locally on your device. You may always manually enter a location (such as city, postal code, and country). On mobile web, if you opt out of sharing your current location, you may continue to receive content that is relevant for the city you have entered in the search bar (i.e., contextual city name).

If you access the Services on your mobile device, we may directly collect precise geographic location information and sensor data via Global Positioning System (GPS), cellular network information, and other location-based features. We typically receive the latitude and longitude of your mobile device, as well as date and time and sensor data such as altimeter. Factors such as device and operating system determine the accuracy of this latitude and longitude and how closely it corresponds with your device's location.

If you allow any of The Weather Channel mobile applications to directly collect location information while the mobile applications are running in the background, you will enable continuous location collection. This may allow us to send you severe weather alerts for the area in which you might be travelling. We also use this location information to conduct analytics, provide relevant advertisements, and improve the Services.

You can turn off direct location collection (or, on some operating systems, continuous direct location collection) through your device settings or by deleting the mobile application from your device. If you turn off location-based services, you may continue to receive alerts for

locations that you have selected within the Services.

E. *Alerts and Notifications.* Certain Services offer you the ability to receive push notifications for weather-related updates, news stories, and special offers. To provide these Services, we may need to collect your device information and/or mobile carrier information, in addition to the postcode or geographic area to which the alert, update, or notification pertains. Where available with our Services, Hands-Free Audio Alerts allow you to receive voice alerts for weather-related updates while you likely are driving. In order to provide you with hands-free alerts, we will need to collect your device's motion data solely to detect when you likely are in a moving vehicle. You can choose to stop sharing your device's motion data at any time, but hands-free alerts are only available when your device's motion data is being shared.

If you no longer wish to receive these types of notifications, you may opt out by turning them off within the settings of your mobile device or the particular Service for which you registered, or by deleting the application.

F. *Information from Analytics and Advertising Vendors.* Where legally permissible, we may obtain information about you or your use of the Services from our vendors and advertisers. We may combine the information you provide us and information we automatically collect with information from public or third-party sources. If we combine or associate information from other sources with personal data that we collect through the Services, we will treat the combined information as personal data in accordance with this Privacy Policy.

2. Data Collection Technologies and Consumer Choice

We and third parties acting on our behalf or on behalf of our vendors use various technologies that help us to manage the operations of our Services

and track usage behavior. These technologies enable us to tailor information and advertisements to make your visits more meaningful and to offer accurate forecast data to everyone, everywhere, free of charge. We follow the self-regulatory principles of the Digital Advertising Alliance ("DAA"), the Digital Advertising Alliance of Canada ("DAAC"), and the European Interactive Digital Advertising Alliance ("EDAA").

We work with a variety of advertising services ("Ad Vendors"), and advertisers that use various technologies to collect data about your use of the Services (such as content viewed or ads clicked on) in order to serve relevant ads. Ad Vendors use various technologies on the Services to (among other purposes): track how the Services are used, what pages or content users interact with, and what sites or mobile applications users interact with after they leave the Services; link users' devices; and serve more relevant ads on and within the Services or other websites or mobile applications that you visit. Ad Vendors and advertisers may combine this data with other information they may have obtained from you or from other sources that is unrelated to your use of the Services in order to target and measure the effectiveness of advertisements. More information about this type of advertising that is tailored to your likely interests based on your activities across other apps or websites ("personalized advertising") is available from the [Network Advertising Initiative's website](#).

Industry Group Opt Outs: Some industry organizations offer centralized tools where you can opt out of the use of your data by multiple vendors at once. For more information about Digital Advertising Alliance (DAA) and Network Advertising Initiative (NAI) opt-out tools to assist you in managing choices for participating companies that use cookies, visit the following sites:

- The DAA's [opt-out page](#)
- The Digital Advertising Alliance of Canada's (DAAC's) [opt-out page](#)
- One of the EDAA's country-specific [opt-out pages](#)
- The NAI's [opt-out page](#).

Also, the DAA offers AppChoices, a separate choice tool for users to exercise control over the collection and use of data through mobile applications for personalized advertising and other related uses. To exercise choice for participating companies, you can install the DAA's AppChoices application on your mobile device. Visit [here](#) for more information on DAA's AppChoices tool.

We also contract with certain entities that use data collection technologies to track, analyze, and report data about the use of the Services and to analyze and optimize the performance of the Services ("Analytics Vendors").

Information collected via the data collection technologies described in this section may be linked to other information about you such as location information and may be considered personal data. We and our vendors may use the technologies described in this section, alone or in combination, to understand user behavior, target and measure the effectiveness of advertisements, help diagnose problems, recognize repeat visitors, and facilitate your access to and use of the Services.

A. Use of Cookies, Web Beacons, and Information Saved by Other Technologies

Third parties may use cookies and other technologies through use of our Services to support or deliver personalized advertising on third-party websites and online services. The data collection technologies we and third parties use on web include but are not limited to:

1. **Cookies:** Cookies are text files containing small amounts of information that are downloaded to your computer or mobile device when you visit a website and stored within your browser. Cookies are then sent back to the originating website on each subsequent visit to that website or to another website that recognizes those cookies. Some cookies on our Services collect IP and MAC addresses, which may be considered personal data in

some jurisdictions. Cookies are useful because they allow a website to recognize a user's device. For more information, please visit this "[All About Cookies](#)" guide. The cookies used on this website can be categorized in the following ways:

Category 1: Strictly Necessary Cookies

These cookies are essential in order to enable you to use the Services and its features.

Category 2: Performance Cookies

These cookies collect information about how you use the Services (such as which pages you go to most often and if you receive error messages). In general, these cookies do not collect information that directly identifies you. However, some such cookies may collect GeolP or other identifiers that may be considered personal data in some jurisdictions.

Category 3: Functionality Cookies

These cookies allow Services to remember choices you make (such as language or the region you are in) and provide enhanced features (such as local weather reports or traffic news). These cookies can also be used to remember changes you have made to customize the Services.

Category 4: Targeting Cookies

These cookies collect several pieces of information about your browsing habits. They are often placed by advertising networks rather than website operators. They collect information about your interactions over time with the Services as well as with third-party websites and online services. This information may

be shared with other organizations such as advertisers in order to provide you with advertisements that may be more relevant to you based on your inferred interests.

Category 5: Social Network Cookies

These cookies are generally generated by content embeds. They allow social network users to share content and use other features such as publishing comments.

2. **Web beacons:** Certain pages on the Services contain web beacons. Web beacons allow third parties to obtain information, such as the IP address of the computer that accessed the page on which the web beacon appears, the URL of the page on which the web beacon appears, the time the page containing the web beacon was viewed, the type of browser used to view the page, and the information in cookies sent by the third party.
3. **Web Storage:** We use local storage, to enhance user experience by, for example, storing your user preferences and settings (e.g., volume/mute) in connection with animated content on the Services. Local storage is similar to browser cookies but can store data more complex than simple text. By itself, local storage cannot do anything to or with the data stored on your device.

B. Use of Advertising Identifiers

We and our Ad Vendors may collect information about usage of mobile applications via advertising identifiers to support or deliver personalized advertising. An advertising identifier is a randomly-generated alphanumeric code associated with a user's device. Advertising identifiers provide advertisers a way to identify a user's device without using a permanent device identifier, such as serial number.

C. Your Choices Around Cookies, Advertising Identifiers, and Other

Technologies Used by Advertisers and Vendors

You have the ability to control how your data is used, including for personalized advertising, in the following ways:

- Vendors: This Privacy Policy does not cover the practices of our vendors outside of our Services and we do not control our vendors' technologies. We provide links to more information about our vendors' privacy practices and any available opt outs [here](#).
- Browser settings: Your web browser may allow you to manage your cookies and local storage to control access to data about your online activity. We encourage you to check your browser's "Help" feature to learn how to block, disable, and delete cookies. Please note that for technical reasons, if you delete or block certain cookies, some features of the site may be unavailable or may not function as intended. For more information, please visit this "[All About Cookies](#)" guide on managing cookies.
- Device settings: The Android and iOS versions 6 to 13 mobile device operating systems allow you to control how your device's advertising identifier is used to support or deliver personalized advertising. The iOS versions 14 and above mobile device operating systems allow you to control use of the advertising identifier and "tracking;" learn about tracking from Apple at Settings > Privacy > Tracking > Learn More
 - Android device settings (version 2.3 and above): "Opt out of Ads Personalization" by following the instructions provided by Google [here](#)
 - iOS device settings (versions 6 to 13): "Limit Ad Tracking" at Settings > Privacy > Advertising > Limit Ad Tracking
 - iOS device settings (versions 14 and above): "Tracking" permissions at Settings > Privacy > Tracking

The opt outs described above are device- or browser-specific and may not be available for all devices. So, if you opt out on your mobile device,

you may continue to receive personalized advertising on your desktop computer or other devices. If you choose to opt out, you will still see ads, but the ads will not be based on your activities across other apps and websites you use.

You can also opt out of future information collection from the Services by adjusting the settings on your device, ceasing use of the Service on web, or un-installing the relevant mobile application. We also contract with certain entities that use data collection technologies to track, analyze, and report data about the use of the Services and to analyze and optimize the performance of the Services ("Analytics Vendors").

Information collected via the data collection technologies described in this section may be linked to other information about you such as location information and may be considered personal data. We and our vendors may use the technologies described in this section, alone or in combination, to understand user behavior, target and measure the effectiveness of advertisements, help diagnose problems, recognize repeat visitors, and facilitate your access to and use of the Services.

3. How We Share or Disclose Your Information with Vendors

We may also share any information collected from the Services including aggregated or statistical data that we may generate from such information in the following ways:

- A. *Service Providers.* When your data is collected on the Services, it may be shared with select Analytics Vendors and Ad Vendors that assist us with marketing or advertising campaigns for our brands, and providers of services that assist us with our business operations, with the provision of the Services, or in delivering you the features and functionality that you have requested ("Technology Vendors"). These service providers include companies that support our advertising programs for our brands, provide data storage, support customer service, assist with audience

research and product development, facilitate or deliver materials to you, and provide map content for the Services. Our service providers are authorized to use the data that we provide to them only to carry out the service they are providing for us. All such service providers are contractually bound by us to keep the data confidential.

- B. *Companies Offering Promotions, Products, or Services.* We may share location data, advertising identifiers, IP address, and aggregate usage statistics for the Services with advertisers.

At times, we will provide you with the opportunity to choose to receive promotions, products, or services from third-party sponsors. We also may provide you with the opportunity to receive products and services directly from specifically-identified third parties through the Services. In these instances, you must explicitly consent to receive each offer. When you choose to receive offers from specific third parties, your information is shared with them to enable them to provide you with the offer you have requested. We are not responsible for the information collection practices of these third parties, and all information provided is governed by their privacy policies. You should review the privacy policies of these third parties before supplying personal data to them.

- C. *Other Websites, Other Services, Plug-Ins and Links.* Like many websites on the Internet and other Internet-based services, the Services may link to webpages located on websites or services maintained by various other entities. In some cases, you may navigate to pages of other websites that are framed with elements of the Services such as in the header or footer or an interactive ad. In that case, the URL or prominent text on the other website will identify the site you are visiting. In other cases, such as advertisements, you will be connecting to another site or service when you click on or otherwise activate those opportunities, including click-to-call, click-to-text, and click-to-e-mail opportunities. These other sites and services are not bound by our Privacy Policy, and

we are not responsible for their information collection practices. The privacy policies of other organizations may differ from ours, for example, with respect to the level of security, use of cookies, and collection, use and disclosure of personal data.

Some of the Services allow users to interact with other websites or services. You may remain logged into those other sites and services until you log off. Your use of those other sites and services is subject to the privacy policies of those sites and services, and not this Privacy Policy.

Some of the Services use third-party operating systems, platforms, communication services, devices, and software elements (such as mobile device operating systems, wireless services, mobile phone, and tablet devices), and some of the Services are provided by third-party distributors, device makers, device operators, platform operators, and communication services. We do not control these third-party entities, products, and services, and they may collect, use, process, transmit, and disclose your information. As we do not control these third-parties' data handling practices, we recommend that you review their privacy policies, terms of use, and license agreements (if any).

D. *Ad Vendors and advertisers.* We may share information we collect with Ad Vendors and advertisers so that they can: (i) deliver and/or support the delivery of relevant content or ads on our websites or apps, their own websites or apps, or other third-party websites or apps, and; (ii) analyze and report on content or ads users see or interact with. Ad Vendors and advertisers may also collect information via the technologies discussed in section 2 above or via interactive ads. The information may include data about how users interact with the Services, information users provide via interactive ads, the content and ads users have viewed, users' activities on other websites and online services, and physical places users have visited.

E. *Purchase or Sale of Businesses.* We continually look for ways to improve

our business, including purchasing a business or selling all or part of our business. If we buy, merge, reorganize or sell any business or assets, personal data and non-personal information will likely be disclosed or transferred as part of the transaction.

F. *Aggregated Information.* As part of the Services, we may aggregate or otherwise alter information (including location information) that is collected from the Services so that it does not identify your device and cannot reasonably be linked to your device. We may use or share such information with third parties for research or commercial purposes (e.g., analyzing trends based on foot traffic). As explained in Section 1.C. above, you can turn off the collection of location data through your device settings.

4. Other Limitations on Privacy

We, our affiliates, or our service providers may disclose your data without your permission (i) pursuant to judicial or other government subpoenas, warrants, or orders or otherwise to comply with law; (ii) where we believe an individual's rights, property, or safety or security is at risk; (iii) if we find that your actions violate our [Terms of Use](#) or any of our other legal rights; or (iv) where otherwise required or permitted by applicable law (which may include a lawful access request by U.S. or foreign courts, governments, or law enforcement agencies).

5. Retention Period

We will retain your information for as long as needed to provide and develop the Services. We will also retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. We may retain information that no longer identifies you indefinitely.

6. Data Rights

You can request to access, obtain a portable copy of, correct, or delete data related to your stored preferences and your use of the Services. Because we do not require users to register in order to use our Services, if you use more than one of our Services, or if you use our Services on more than one device or web browser, you will need to manage your data for each of the Services separately. If you have registered a user account with weather.com and are logged in to your account at the time of the request, we will be able to retrieve data related to your use of the Services while you were logged in. To manage your Data Rights on weather.com, click [here](#). To manage your Data Rights on the iOS or Android app, navigate to Data Rights in the app menu.

At this time, we cannot delete data directly associated with your account without deleting your account, as the data is necessary to keep your subscription and to provide you with the requested Services. If you wish to correct information related to your account or delete your account and all data associated with it, please click [here](#).

In the event that you consider our processing of data related your use of the Services not to be compliant with the applicable data protection laws, you can contact us at privacy@weather.com or lodge a complaint with the relevant data protection authority. If you are a California user, you can contact us at californiaprivacy@weather.com.

7. Minors' Privacy

We are committed to protecting the safety and privacy of young people using the Internet. We do not knowingly collect personal data from children under age 18. We believe that children should get their parents' or guardians' consent before giving out any personal data. If you become aware that we have collected personal data from a child without parental consent, please notify us promptly at privacy@weather.com. If we become aware that a child under age 18 has provided us with personal data without parental consent, we will take steps to remove such personal data.

8. International Transfers

The Services are hosted on servers inside and outside the United States. If you are located in the European Union or elsewhere outside of the United States, information that we collect (including through cookies) will be processed and stored in the United States, a jurisdiction in which the data protection and privacy laws may not offer the same level of protection as those in the country where you reside or are a citizen. Subject to applicable law, by using our Services and providing information to use, you consent to the transfer to and processing of information in the United States and other jurisdictions. Where necessary under applicable law, we may employ appropriate cross-border transfer methods governing personal data.

9. Our Commitment to Security

We have put in place physical, electronic, and managerial procedures intended to protect your data. Of course, we cannot guarantee that your communications with the Services will never be unlawfully intercepted or that your data will never be unlawfully accessed by third parties. Any transmission of information is at your own risk.

10. Changes to the Privacy Policy

We reserve the right to change our Privacy Policy as business needs require. If we decide to change our Privacy Policy, we will post those changes here prior to the time they take effect. If we make material changes to the way we use personal data, we will notify affected users through the Services.

11. How to Contact Us

If you have a question related to this Privacy Policy, please contact us at privacy@weather.com or if you are a California user, at californiaprivacy@weather.com, or at:

The Weather Company, an IBM business
Attn: Privacy Office

1001 Summit Boulevard, Floor 20
Brookhaven, GA, USA 30319

12. California Consumer Privacy Act (CCPA) Notice

The California Consumer Privacy Act of 2018 ("CCPA") requires certain disclosures that are covered above in our Privacy Policy. This section provides an overview of the information required by CCPA and how to exercise your CCPA rights.

A. Disclosures about the use of your Personal Information

As described in [Section 1](#) of our Privacy Policy, we collect and use certain information in order to operate the Services and to maximize your experience. The list below includes the categories of personal information that we will collect about you if you use our Services. It also reflects the categories of personal information that we have collected in the past twelve months:

- Information related to your user account registration and subscription;
- Information provided by you;
- Information automatically collected from your device, in accordance with consumer choice;
- Location information; and
- Information from Analytics and Advertising Vendors.

[Section 3](#) of our Privacy Policy describes how we share or disclose your information with vendors.

In the past twelve months, we have disclosed the following categories of Personal Information as defined by the CCPA for our business purposes to our [Advertising, Analytics and Technology Vendors](#):

- Identifiers such as an online identifier or IP address;

- Commercial information relating to your use of the Services;
- Internet or other electronic network activity information relating to your use of the Services; and
- Geolocation data.

In the past twelve months, we have disclosed the following category of Personal Information as defined by the CCPA for our business purposes to our [Advertising and Analytics Vendors](#):

- Inferences.

If you have registered an account with us and purchased a subscription offering, in the past twelve months, we have disclosed the following categories of Personal Information as defined by the CCPA for our business purposes to our [Technology Vendors](#).

- Identifiers such as a name or email address; and
- Other personal information described in Cal. Civ. Code Section 1798.80(e), such as credit card information.

The CCPA defines the terms “sell” and “sale” broadly to include the sharing of Personal Information with third parties for something of value, even if no money is exchanged. We do not sell users’ Personal Information as the term “sell” is commonly understood. However, we do allow advertising vendors to use your Personal Information for certain purposes other than providing and improving advertising services for our apps and websites (described in [Section 3.D](#) of our Privacy Policy), which is considered a sale under CCPA. This is the only way that we sell Personal Information under the CCPA, and we do not engage in any other sales of Personal Information under the CCPA.

In the past twelve months, we have sold the following categories of Personal Information as defined by the CCPA to our [Advertising Vendors](#):

- Identifiers such as an online identifier or IP address;
- Commercial information relating to your use of the Services;
- Internet or other electronic network activity information relating to your use of the Services;
- Geolocation data; and
- Inferences.

Information on how you can opt out of selling your information with these vendors for purposes beyond the advertising services they provide us is provided below ("Opt out of sale of your Personal Information"). You also can opt out of sharing your information for personalized advertising through the available web- and app-related opt-outs listed above in [Section 2.C](#).

B. Data Rights

Under the CCPA, you have the right to:

- *Know your Personal Information.* You can request information about the Personal Information collected from your use of the Services. You will need to provide your email address so we can return the requested data to you. Please note that you must make the request from each browser or device where you access the Services, unless you are logged in to your weather.com account at the the time of the request.

To request specific pieces of information on weather.com, click [here](#) and select "Request a Portable Copy of Data" from the options.

To request specific pieces of information on the iOS or Android app, navigate to "Data Rights" under "Settings" in the app menu and select "Request a Portable Copy of Data" from the options.

Alternatively, you may email californiaprivacy@weather.com for further instructions.

Please note that we may take steps to verify your identity before you can make a request to know your Personal Information.

- *Delete your Personal Information.* You can request that we delete the Personal Information that we have collected from your use of the Services. You will need to provide your email address so we can confirm to you that we have fulfilled your request, unless you are logged in to your weather.com account at the time of the request. Please note that you must make the request from each browser or device where you access the Services, unless you are logged in to your weather.com account at the time of the request. We will delete your information unless it is necessary for purposes permitted by CCPA.

To make a deletion request on weather.com, click [here](#) and select "Delete Data" from the options.

To make a deletion request on the iOS or Android app, navigate to "Data Rights" under "Settings" in the app menu and select "Delete Data" from the options.

Alternatively, you may email californiaprivacy@weather.com for further instructions.

- *Opt out of sale of your Personal Information.* You will be opted in by default to the sale of Personal Information. You can opt out of the sale of Personal Information at any time in the following ways. Please note that we do not track users across devices, so you will have to opt out from each device where you access the Services.

Web

- You can access the "Do Not Sell My Personal Information" link in

the footer of the website, if you are located in California when you access the Services.

- You can access the "Review my Advertising Settings" link in the footer of the website, if you are not located in California when you access the Services.

App

- You can go to "Privacy Settings" under "Settings" then select "Do Not Sell My Personal Information (Opt Out)" under "California Consumer Privacy Act (CCPA) Right to Opt Out," if you are located in California when you access the Services.

- You can go to "Privacy Settings" under "Settings" then click on the "Do Not Share My Information other than for ads in this app (Opt Out)" under "California Consumer Privacy Act (CCPA) Right to Opt Out," if you are not located in California when you access the Services.

Alternatively, you may also email californiaprivacy@weather.com for further instructions.

- *Non-discrimination.* If you choose to exercise any of these rights, we will not deny goods or services to you or provide different quality of services, unless that difference is reasonably related to the value provided by your data.
- *Authorized Agent.* You can designate an authorized agent to make a request under the CCPA on your behalf provided that (1) it is a natural person or a business entity registered with the Secretary of State of California; and (2) you have authorized the authorized agent to act on your behalf.

Authorized agents may email californiaprivacy@weather.com for further instructions. To protect your information, please note that we may take steps to verify your identity and we will also ask for a

signed permission from you authorizing the authorized agent to submit a request on your behalf.

Our U.S. Privacy Policy was last updated March 19, 2021.

13. **General Data Protection Regulation (GDPR) Notice**

Please note that for the purposes of Regulation (EU) 2016/679 ("GDPR"), the data controller is TWC Product and Technology, LLC, doing business as The Weather Company, an IBM business, which may be contacted at the e-mail or address listed in [Section 11 How to Contact Us](#).

The data controller's legal representative is IBM International Group B.V., Johan Huizingalaan 765, 1066 VH Amsterdam, The Netherlands and the relevant Data Protection Officer may be contacted at privacy@weather.com. Please be aware that where GDPR applies you have the right to lodge a complaint with the competent data protection authority. The name and contact details of the Data Protection Authorities in the European Union can be found at [here](#).

European Union Minors' Privacy: Where GDPR applies, we do not knowingly collect personal data from children under age 16 (or such lower age permitted under applicable local law not being lower than age 13).

International Transfer: If you are located where GDPR applies, information that we collect (including through cookies) will be processed and stored in the United States. The appropriate cross-border transfer method governing personal data included in such transfers is the EU Standard Contractual Clauses agreement pursuant to EC Decision 2010/87/EU.

Processing Basis: Our processing of your personal data in order to provide you with the Services will typically be based on one of the following processing bases: (i) because you have provided us with your specific, informed, freely-given, and unambiguous consent, (ii) because we need to process it in order to provide you with the Services or a particular feature of

the Services; that is, because we cannot readily fulfil your request without performing the relevant processing, or (iii) because the processing is necessary for the purposes of the legitimate interests pursued either by us or by a third party and such legitimate interests are not overridden by your privacy and related rights as an individual. Our legitimate interests include the provision of market-leading weather-related products and services, including the Services.

14. **Lei Geral de Proteção de Dados Pessoais (LGPD) Notice**

The Lei 13.709/ 2018 (Lei Geral de Proteção de Dados Pessoais, "LGPD") requires certain disclosures that already are covered in our Privacy Policy.

In addition, please note that for the purposes of LGPD, the data controller is TWC Product and Technology, LLC, doing business as The Weather Company, an IBM business, which may be contacted at the e-mail or address listed in [Section 11 How to Contact Us](#).

The relevant Data Protection Officer may be contacted at privacy@weather.com.

Data rights: under LGPD, you can request to access your personal data, receive confirmation of the existence of processing and be able to request to receive confirmation about the private and public entities with whom the controller shares the data, obtain a portable copy of your data, object to the processing when data is processed unlawfully and to request correction, anonymization, blocking and deletion of unnecessary, excessive data or data processed unlawfully related to your stored preferences and your use of the Services. You can exercise your data rights on weather.com by clicking [here](#) and on the iOS or Android app by navigating to "Data Rights" under "Settings" in the app menu. Please note that you must make any requests from each browser or device where you access the Services.

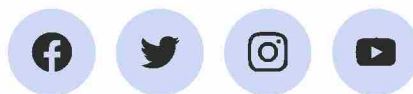
International Transfers: If you are located where LGPD applies, information

that we collect (including through cookies) will be processed and stored in the United States. The appropriate cross-border transfer method governing personal data included in such transfers is the EU Standard Contractual Clauses agreement pursuant to EC Decision 2010/87/EU.

Processing Basis: Our processing of your personal data in order to provide you with the Services will typically be based on one of the following processing bases (pursuant to Articles 7 to 10 LGPD):

- Because you have provided us with your specific, informed, freely-given, and unambiguous **consent**,
- Because **we need to process your personal data in order to provide you with the Services or a particular feature of the Services**, or
- Because the processing is necessary for the purposes of the **legitimate interests** pursued either by us or by a third party and such legitimate interests are not overridden by your privacy and related rights as an individual. Our legitimate interests include the provision of market-leading weather-related products and services, including the Services.

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We recognize our responsibility to use data and technology for good. Take control of your data.

[Privacy Settings](#) | [Do Not Sell My Personal Information](#) | [Data Rights](#)

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